4-9-1987

Meeting Notes 1987-04-09

Joint Policy Advisory Committee on Transportation

METRO

2000 S.W. First Avenue
Portland, OR 97201-5398
503/221-1646

Agenda

Meeting: JOINT POLICY ADVISORY COMMITTEE ON TRANSPORTATION

Date: April 9, 1987

Day: Thursday

Time: 7:30 a.m.

Place: Metro, Conference Room 330

*1. MEETING REPORT OF MARCH 12, 1987 - APPROVAL REQUESTED.

*2. AMENDING THE TRANSPORTATION IMPROVEMENT PROGRAM FOR TRI-MET SECTION 6 DEMONSTRATION GRANT - APPROVAL REQUESTED - Richard Brandman.

*3. APPROVING THE FY 88 UNIFIED WORK PROGRAM - APPROVAL REQUESTED. CERTIFYING THAT THE PORTLAND METROPOLITAN AREA IS IN COMPLIANCE WITH FEDERAL TRANSPORTATION PLANNING REQUIREMENTS - APPROVAL REQUESTED - Andy Cotugno.

*4. AMENDING THE SECTION 3 LETTER-OF-INTENT PROGRAM AND AUTHORIZING THE ADDITION OF TWO NEW PROJECTS - APPROVAL REQUESTED - Andy Cotugno.

*5. STATUS REPORT ON LRT CORRIDORS - INFORMATIONAL - Richard Brandman.

6. DISCUSSION OF LEGISLATION OF INTEREST TO TRANSPORTATION AGENCIES - Andy Cotugno.

A. Transit Bills

- SB 5534 - Appropriating $8 million in transit capital funding
- *SB 770 - Allowing refund of motor vehicle fuel taxes
- SB 771 - Extends payroll tax to public agencies
- *SB 772 - Allows Tri-Met to use revenues for road purposes
- *SB 773 - Allows Tri-Met to convert payroll tax to combined payroll/wage tax
- HB 2813 - Allowing areas to petition for withdrawal from the transit district

B. Oregon Road Finance Study - HB 2112

C. Surface Transportation Act Veto

D. System Development Charges

. *HB 2783 - Allows new construction to be added to tax roles; eliminates system development charges
. HB 2785 - Setting policies and procedures for levying "System Development Charges"

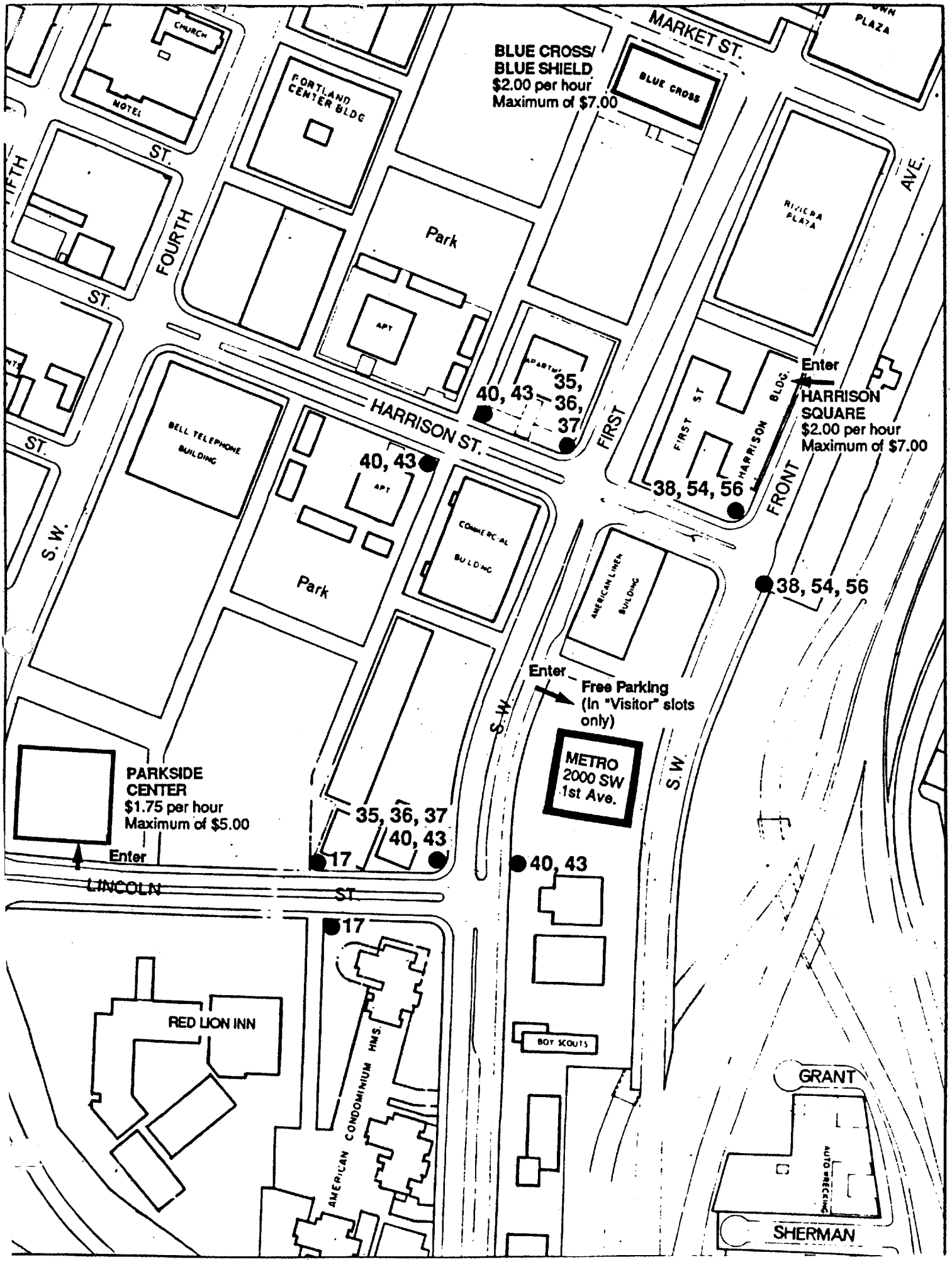
*Material enclosed.

NEXT JPACT MEETING: MAY 14, 1987 - 7:30 A.M.

NOTE: Overflow parking is available at the City Center parking locations on the attached map, and may be validated at the meeting.

Also enclosed for your information:

. Letter to Legislators on Regional LRT Priorities
. Letter from James Rapp, City Manager of Sherwood, regarding Small City representation on JPACT
. Announcement of April 16 workshop on ODOT's proposed Highway Compatibility Guidelines (10:00 a.m. - Noon)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BOY SCOUTS
GRANT
AUDITORIUM
SHERMAN

MEETING REPORT

DATE OF MEETING: March 12, 1987

GROUP/SUBJECT: Joint Policy Advisory Committee on Transportation (JPACT)

PERSONS ATTENDING: Members: Richard Waker; Tom Brian; Fred Hansen; Bob Schumacher; Pauline Anderson; Linore Allison; Larry Deyo (alt.); Larry Cooper; Ron Thom; Bonnie Hays; Earl Blumenauer; Lloyd Anderson; Rick Kuehn and George Van Bergen

Guests: Tom VanderZanden, Clackamas County; Rick Daniels, Bruce Warner, Roy Rogers and Frank Angelo, Washington County; Mike McKillip, City of Tualatin; Richard Ross, City of Gresham; Peter Fry, Central Eastside Industrial Council; Steve Dotterrer, City of Portland; Geraldine Ball, I-5 Corridor Transportation Committee; Gil Mallery, IRC of Clark County; Bebe Rucker, Port of Portland; Susie Lahsene, Multnomah County; Bill Manderfeld and James Rapp, City of Sherwood; Paul Haines, City of Lake Oswego; Larry Cole, City of Beaverton; Ray Polani, Citizens for Better Transit; Lee Hames, Tri-Met; Howard Harris, DEQ; and Ted Spence, ODOT

Staff: Marc Madden; Vickie Rocker; Andrew Cotugno; Richard Brandman; Cathy Thomas; Robert Hart; James Gieseking; Karen Thackston; and Lois Kaplan, Secretary

MEDIA: DeeDee Harrington and Harry Bodine, The Oregonian

SUMMARY:

Chairman Waker introduced and welcomed Mayor Tom Brian (Tigard) as the new JPACT member representing the cities in Washington County. Mayor Larry Cole (Beaverton) will serve as his alternate. Also announced was the selection of Councilor Marge Schmunk (Troutdale) to the Committee representing the cities in Multnomah County.

TRIBUTE TO LARRY COLE

In appreciation for Larry Cole's longstanding efforts for JPACT, it was moved and seconded that the following Resolution be adopted and presented to him:

"WHEREAS, Larry Cole has been a member of the Joint Policy Advisory Committee on Transportation (JPACT) since its creation; and

"WHEREAS, his participation has contributed greatly to the spirit of regional cooperation; and

"WHEREAS, Larry has served dutifully and cheerfully and we look forward to his continued service as an alternate to JPACT, now therefore,

"BE IT RESOLVED, that JPACT extends to Larry Cole its gratitude and best wishes."

Motion CARRIED unanimously.

REPRESENTATION ON JPACT

Councilor Larry Deyo spoke of Gresham's concern over the JPACT selection process for representation of the cities of Multnomah County. He indicated that the purpose of JPACT was to have all components and special interests of the jurisdictions addressed and felt that East Multnomah County's constituency was not well represented. Because of the huge population of the city of Gresham, it is the viewpoint of Gresham that there is a disparity in representation to that of the smaller cities. Some of the alternatives he suggested included: representation of the smaller cities by their county representative and setting a minimum population for addition of a city to JPACT (such as all cities having 50,000 or more population).

Andy Cotugno indicated that the balloting for the alternate East Multnomah County representative is still underway.

Chairman Waker asked that a copy of the JPACT selection procedure be provided the members for further consideration, and staff was directed to seek an alternate solution for representation for the cities of Multnomah County.

Andy Cotugno reported that there is need to clarify the membership procedure in that Wilsonville and several other cities fall in two counties. The Committee endorsed the principle that the cities will vote on the JPACT representative for the county in which they have the greatest share of their population.

MEETING REPORT OF JANUARY 8, 1987

The Meeting Report of the January 8 JPACT meeting was approved as written.

FY 88 UNIFIED WORK PROGRAM

Andy Cotugno indicated that the draft FY 88 Unified Work Program was reviewed by UMTA and FHWA on March 11, and that their comments and those from TPAC would be reflected in the document to be considered for approval at the April 9 JPACT meeting.

RAILROAD ABANDONMENTS/ACQUISITIONS

Andy Cotugno provided a status report on the three metropolitan area railroad corridors and activities related to each. The purpose was to indicate that if any regional activities should be undertaken, it will be taken up with JPACT. However, specific corridor activities will be undertaken by groups specific to the corridor.

Included in the status report were the Southern Pacific-Jefferson Street Branch (downtown Portland to Lake Oswego); Portland Traction Company-Bellrose Line (Marquam Bridge to Milwaukie via Willamette River to Gresham via Johnson Creek to Boring); and the Burlington Northern (northwest Portland through the West Hills at Cornelius Pass through the Sunset Corridor, Beaverton, Tigard and Tualatin).

Commissioner Blumenauer reported that there has been positive response from Lake Oswego in providing some type of trolley service. Issues being explored include fundraising, the type of trolley service to be provided, integration of the Banfield vintage trolley project with the Jefferson line, and ensuring legality of the railroad line and right-of-way. A discussion followed on the issue of how long the trolley service would have to run in order to preserve the right-of-way.

SOUTHWEST CORRIDOR STUDY DRAFT REPORT

Andy Cotugno reviewed the draft Southwest Corridor Study report reflecting TPAC's revised set of recommendations. Andy indicated that approval of the "Draft" Conclusions, Recommendations and Evaluation of Alternatives Report would allow public hearings to be held.

In review, Andy noted that the proposed RTP amendments dealt with three components: 1) a common set of improvements needed on the Arterial and Collector system; 2) the improvements in the transit portion of the overall transportation system; and 3) the recommended Bypass configuration and associated projects.

Linore Allison stressed the need to have language incorporated emphasizing that transit right-of-way should be preserved in the Bypass alternative. Commissioner Hays of Washington County was also supportive of such language.

Lloyd Anderson expressed concern that, when a freeway is built, it stimulates urbanization, and he felt there could be some pressures regarding expansion of the existing Urban Growth Boundary. In response, Commissioner Hays indicated that Washington County wants to limit access and would not encourage urban development outside the UGB. Andy Cotugno noted that, prior to any UGB amendments taking place, it must first be demonstrated that there is a need for the

additional land and that it cannot be provided more effectively elsewhere. The need and availability of all public services serve as the basis for such changes. Commissioner Blumenauer felt that the additional clarifying language was a compromise to let Washington County proceed with the plan.

The implication that economic development and growth would occur as a result of an expanded UGB (rather than residential development) was further discussed, as was the possibility of attaching conditions on UGB expansion. It was emphasized, however, that all UGB amendments come under the review of the Metro Council and LCDC as safeguards.

Andy Cotugno reported that a variety of alternative Bypass alignments were considered in the study and noted that the recommended generalized alignment has the concurrence of Washington County. Engineering reconnaissance support was provided by ODOT prior to the recommendation. Mayor Tom Brian (Tigard) also indicated that the cities of Washington County supported the proposed alignment.

Rick Kuehn noted ODOT support of the project but stated the need for the region to develop a comprehensive package of large-scale projects. He indicated that the Governor would prefer not to see the RTP amended piece-meal but through a complete regional process addressing all the outstanding corridor issues. Andy Cotugno responded that there are two major corridor studies underway -- the Southeast Corridor and I-84/U.S. 26 -- and that the recommendations from those studies will be reflected in future RTP amendments.

Fred Hansen spoke of environmental concerns with regard to the Tualatin River and attaining air quality in downtown Portland. He was uncomfortable in supporting the study prior to those issues being covered in more detail. The need to identify which environmental factors may have an impact for study in the Draft EIS was stressed. Also to be addressed is the identification of where transit is going to be able to be implemented. Andy Cotugno noted that an ozone analysis was done for the full RTP, and that the plan calls for a significant amount of transit. Fred Hansen questioned the amount of transit that is tied into the Southwest Corridor and its impact on air quality.

Lloyd Anderson cited the need to re-examine the process of how we allocate funding resources in the area and the criteria for allocating those funds. He felt the issue should be discussed in a regional forum, and that a white paper should be prepared on such criteria. Commissioner Hays agreed that the process for distribution of funds would have to be adopted prior to final adoption of the report, and extended her appreciation to the participants of the study.

It was the consensus that language reflecting consideration of transit right-of-way be incorporated for the Bypass alignment in the design and engineering studies.

Commissioner Blumenauer felt that it is JPACT's expectation that the environmental issues will be addressed further as will the expansion issues of the UGB.

Rick Kuehn stated he would not support adoption of the draft report until there is a more complete regional package of projects that would go into the RTP Update.

Action Taken: It was moved and seconded to recommend approval of the Draft Southwest Corridor Study Conclusions, Recommendations and Evaluation of Alternatives Report for the purpose of conducting public hearings. Motion CARRIED. Linore Allison, Fred Hansen and Rick Kuehn dissented.

HOUSE BILL 2270

A memo was distributed relating to House Bill 2270 sponsored by Representative Ron McCarty which provides $6 million toward PE, land acquisition and construction of LRT in the I-205 corridor. Inasmuch as the I-205 corridor has not been designated a regional priority for LRT and is not included in the Regional Transportation Plan, this matter was referred to JPACT. Andy Cotugno then reviewed the following recommendations as a substitute for purposes stated in the bill:

- Secure funding for capital and operating purposes for the existing system as a first priority before funds are sought to expand the LRT system;

- Seek local match to allow the next step toward LRT to proceed in three regional corridors: 1) Sunset LRT (proceed with PE and Final EIS through UMTA with available and programmed UMTA Section 9 and Interstate Transfer funds); 2) McLoughlin LRT (consider proceeding with Alternatives Analysis/Draft EIS through UMTA with Interstate Transfer funds set aside in the McLoughlin Corridor program); and 3) I-205 LRT (determine whether or not to initiate PE and a Final EIS through FHWA with available Interstate "buslane transfer" funds).

- Continue feasibility studies of LRT in Barbur and Macadam corridors and for extensions and branches. As needed, seek funds to conduct reconnaissance engineering for protection of specified alignments in local plans.

There was consensus that legislation should be pursued to implement the above priorities and that projects of lesser priority should not be at the expense of regional priorities. It was also agreed that the language regarding the priority of bus capital funding should be strengthened (language to be provided by Tri-Met).

A letter was introduced from the City of Milwaukie expressing its concerns over the potential legislation which would circumvent the local prioritization process of all regional transportation projects.

Action Taken: There was consensus that a letter be drafted on behalf of the region seeking legislation to implement the priorities in question.

INVITATION TO GOVERNOR GOLDSCHMIDT

In the spirit of regional cooperation, there was consensus that Governor Neil Goldschmidt be invited to address JPACT at his earliest convenience.

SECTION 3 "TRADE" LETTER OF INTENT

Andy Cotugno reviewed the status of the Section 3 Trade Program, as outlined in his memo. He noted that the TIP Subcommittee has a process underway to recommend changes in allocation of the Section 3 Trade funds and asked for JPACT concurrence of the proposed actions.

Andy reported that the Port of Portland has requested that some of the funds be allocated for an airport transit station.

Action Taken: The Committee concurred in the proposed actions of the TIP Subcommittee for the allocation of Section 3 Trade funds recognizing that any funding actions would be back to JPACT for approval.

ADJOURNMENT

There being no further business, the meeting was adjourned.

REPORT WRITTEN BY: Lois Kaplan

COPIES TO: Rena Cusma
Dick Engstrom
JPACT Members

STAFF REPORT

Agenda Item No. _____

Meeting Date _____

CONSIDERATION OF RESOLUTION NO. _____, FOR THE PURPOSE OF AMENDING THE TRANSPORTATION IMPROVEMENT PROGRAM (TIP) TO INCLUDE A SECTION 6 TRI-MET DEMONSTRATION PROJECT.

Date: March 31, 1987 Presented by: Andy Cotugno

FACTUAL BACKGROUND AND ANALYSIS

Adopt the Resolution approving:

An addition to the TIP for the purpose of adding a Tri-Met Demonstration Project to test the feasibility of instituting new transit service operated by private sector transportation providers.

TPAC has reviewed this TIP amendment and recommends approval of the Resolution.

Background

UMTA regulations require that transit agencies and Metropolitan Planning Organizations involve private sector operators in the earliest phases of transit project planning and development. UMTA furthermore requires transit agencies to allow private sector providers the opportunity to bid on new transit service and to evaluate each route in the transit district to determine if it could be more efficiently operated by private enterprise.

This demonstration project is responsive to the UMTA requirements and will provide funding for one year to allow bidding out of two service areas to private transit operators. The operators and Tri-Met will attempt to define the potential cost savings attributable to this transit service. The project is broken into two parts:

1. Phase I will provide funding for operating late-night transportation service with small vehicles, such as station wagons and vans, that are operated by the private sector. Depending on actual costs, all or part of the previous "owl" service will be replaced. Analysis will then be performed to evaluate the cost-efficiencies of providing this service. Data to be collected will include miles of service, fare recovery, transfers, ridership by hour on each route, and number of fares inbound/outbound by the hour. The total budget for this phase is $87,600. The data

and costs will then be analyzed by Tri-Met staff to determine if this service is more efficient and cost-effective.

2. Phase II will provide funding for a private transportation enterprise providing fixed-route service between the Hillside neighborhood and downtown Portland. The private operator would seek to demonstrate its ability to build ridership during a one-year time period to a profitable level. Similar data will be collected and analyzed for Phase II as was collected for Phase I. The total budget for this phase is $51,600.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends adoption of Resolution No. _____.

RB/sm
7191C/496
03/31/87

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF AMENDING THE TRANSPORTATION IMPROVEMENT PROGRAM (TIP) TO INCLUDE A SECTION 6 TRI-MET DEMONSTRATION PROJECT	)))))	RESOLUTION NO. Introduced by the Joint Policy Advisory Committee on Transportation

WHEREAS, Through Resolution No. 86-686, the Council of the Metropolitan Service District adopted the Transportation Improvement Program and its FY 1987 Annual Element; and

WHEREAS, Tri-Met is seeking opportunities to improve its productivity and flexibility of operations; and

WHEREAS, The proposed project will attempt to demonstrate:

1. That the operation of late-night transit service can be provided at a significantly lower cost with the use of private station wagons and vans; and

2. That a private business can operate a transit line at a profitable level given adequate time to build ridership; now, therefore,

BE IT RESOLVED,

1. That the Transportation Improvement Program and its Annual Element be amended to include Tri-Met's Demonstration Project using 100 percent UMTA Section 6 funds totaling $139,200.

2. That the Council of the Metropolitan Service District finds the project in accordance with the region's continuing cooperative, comprehensive planning process and, thereby, gives Affirmative Intergovernmental Review approval.

ADOPTED by the Council of the Metropolitan Service District this _____ day of _____, 1987.

_____
Richard Waker, Presiding Officer

RB/sm-7191C/496
03/30/87

STAFF REPORT

Agenda Item No. _____

Meeting Date _____

CONSIDERATION OF RESOLUTION NO. 87- FOR THE PURPOSE OF APPROVING THE FY 1988 UNIFIED WORK PROGRAM (UWP)

Date: March 30, 1987 Presented by: Andy Cotugno

PROPOSED ACTION

This resolution would 1) approve the UWP containing the transportation planning work program for FY 1988, and 2) authorize the submittal of grant applications to the appropriate funding agencies.

TPAC has reviewed the FY 88 Unified Work Program and recommends approval of the Resolution.

FACTUAL BACKGROUND AND ANALYSIS

The FY 1988 UWP describes the transportation planning activities to be carried out in the Portland/Vancouver metropolitan region during the fiscal year beginning July 1, 1987. Included in the document are federally funded studies to be conducted by Metro, Intergovernmental Resource Center of Clark County (IRC), Tri-Met, the Oregon Department of Transportation (ODOT) and local jurisdictions. Adoption of this resolution begins the second year of the overall direction and funding established in the five-year Prospectus, adopted in May 1986, and the specific work program for FY 88. This work program is for the second of the four-year commitment of funding from ODOT, Section 9 and the Interstate Transfer Regional Reserve. Approval of the work program accomplishes the annual required approval for use of these funds.

The UWP matches the projects and studies reflected in the proposed Metro budget to be submitted to the Tax Supervisory and Conservation Commission.

Approval will mean that grants can be submitted and contracts executed so work can commence on July 1, 1987, in accordance with established Metro priorities.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends adoption of Resolution No. _____.

KT/sm
5348C/453-8
03/30/87

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF APPROVING THE FY 1988 UNIFIED WORK PROGRAM (UWP)	)	RESOLUTION NO.
	)	Introduced by the Joint Policy Advisory Committee on Transportation

WHEREAS, The Unified Work Program (UWP) describes all federally-funded transportation planning activities for the Portland/Vancouver metropolitan area to be conducted in FY 1988; and

WHEREAS, The FY 1988 UWP indicates federal funding sources for transportation planning activities carried out by the Metropolitan Service District (Metro), Intergovernmental Resource Center of Clark County (IRC), the Oregon Department of Transportation (ODOT), Tri-Met and the local jurisdictions; and

WHEREAS, Approval of the FY 1988 UWP is required to receive federal transportation planning funds; and

WHEREAS, The FY 1988 UWP is consistent with the proposed Metro budget submitted to the Tax Supervisory and Conservation Commission; now, therefore,

BE IT RESOLVED,

That the Council of the Metropolitan Service District hereby declares:

1. That the FY 1988 UWP is approved.

2. That the FY 1988 UWP is consistent with the continuing, cooperative and comprehensive planning process and is given positive Intergovernmental Project Review action.

3. That the Metro Executive Officer is authorized to apply for, accept and execute grants and agreements specified in the UWP.

ADOPTED by the Council of the Metropolitan Service District this _____ day of _____, 1987.

_____
Richard Waker, Presiding Officer

KT/sm
5348C/453-7
03/17/87

JOINT RESOLUTION OF THE
COUNCIL OF THE METROPOLITAN SERVICE DISTRICT
AND OREGON STATE HIGHWAY ENGINEER

FOR THE PURPOSE OF CERTIFYING THAT THE PORTLAND METROPOLITAN AREA IS IN COMPLIANCE WITH FEDERAL TRANSPORTATION PLANNING REQUIREMENTS	RESOLUTION NO. 87- Introduced by the Joint Policy Advisory Committee on Transportation

WHEREAS, Substantial federal funding from the Urban Mass Transportation Administration (UMTA) and Federal Highway Administration (FHWA) is available to the Portland metropolitan area; and

WHEREAS, FHWA and UMTA require that the planning process for the use of these funds comply with certain requirements as a prerequisite for receipt of such funds; and

WHEREAS, Satisfaction of the various requirements is documented in Attachment "A"; now, therefore,

BE IT RESOLVED,

That the transportation planning process for the Portland metropolitan area (Oregon portion) is in compliance with federal requirements as defined in Title 23 Code of Federal Regulations, Part 450, and Title 49 Code of Federal Regulations, Part 613.

ADOPTED by the Council of the Metropolitan Service District this _____ day of _____, 1987.

_____
Richard Waker, Presiding Officer

APPROVED by the Oregon Department of Transportation State Highway Engineer this _____ day of _____, 1987.

_____
State Highway Engineer

AC/sm-6932C/491-2
02/02/87

ATTACHMENT A

Metropolitan Service District
Self Certification

1. Metropolitan Planning Organization Designation

The Metropolitan Service District (Metro) is the MPO designated by the Governor for the urbanized areas of Clackamas, Multnomah and Washington Counties, Oregon.

Metro is a regional government with 12 directly elected Councilors and an elected Executive Officer. Local elected officials are directly involved in the transportation planning/decision process through the Joint Policy Advisory Committee on Transportation (JPACT) (see attached membership). JPACT provides the "forum for cooperative decision-making by principal elected officials of general purpose local governments" as required by USDOT.

2. Agreements

Though cooperative working agreements between jurisdictions are no longer required, several are still in effect:

a. A basic memorandum of agreement between Metro and the Intergovernmental Resource Center (Clark County) which delineates areas of responsibility and necessary coordination and defines the terms of allocating Section 8 funds.

b. An agreement between Tri-Met, Public Transit Division of ODOT and Metro setting policies regarding special needs transportation.

c. An intergovernmental agreement between Metro, Tri-Met and ODOT which describes the roles and responsibilities of each agency in the 3C planning process.

d. Yearly agreements are executed between Metro and ODOT defining the terms and use of FHWA planning funds and Metro and Tri-Met for use of UMTA funds.

e. Bi-State Resolution -- Metro and Intergovernmental Resource Center (Clark County) jointly adopted a resolution establishing a Bi-State Policy Advisory Committee.

3. Geographic Scope

Transportation planning in the Metro region includes the entire area within the Federal-Aid Urban boundary.

4. Transportation Plan

The Regional Transportation Plan was adopted on July 1, 1982. The document has had one approved housekeeping update (October 1983) and is undergoing a major update. The short-range Transit Development Program (TDP), the detailed transit operations plan for the region, was adopted in 1980 and is currently being updated by Tri-Met. The TDP is a prerequisite for approval of federal transit assistance and continued delay jeopardizes the region's certification. UMTA has indicated that lack of an updated TDP results in an insufficient basis for federal transit grant approvals.

5. Transportation Improvement Program

The FY 88 TIP will be adopted in August 1987 and will be amended continuously throughout the year. Future amendments will include authorization of FY 87 Interstate Transfer funds; updates of the Section 3 Letter-of-Intent Program, the Section 9 Capital Program and the state modernization program.

6. Public Involvement

Metro maintains a continuous public involvement process through citizen members on technical advisory committees, newsletters and press releases. Major transportation projects have citizen involvement focused specifically on the special needs of the project. Of particular emphasis during FY 87 was involvement in the Southwest Corridor study. This involved creation of a special citizens committee and review by various town halls, community groups and business associates. As the Southeast Corridor Study enlarges, a citizen group will be formed and actively involved in the study process.

7. Air Quality

Oregon's State Implementation Plans for ozone and carbon monoxide were both adopted by Metro and DEQ and approved by EPA in 1982.

The Metro area is projected to be in compliance with both the ozone and the carbon monoxide standard by 1987. The SIPs do not contain new control measures on transportation modes in order to reach attainment; rather, they rely on existing commitments, programs and federal emission controls. Current efforts are focusing on increasing the transit mode split throughout the region and particularly to downtown Portland.

8. Civil Rights

Metro's Title VI submittal for FY 1985-86 was submitted to UMTA in September 1985. UMTA approved the Title VI report with the next update due in September 1987. Since the FHWA review in June 1981, Metro has developed full plans for DBE, Equal Opportunity and Citizen participation.

9. Elderly and Handicapped

An Interim Special Needs Transportation Service Plan is in effect. Appropriate parts of the new Special Needs Plan were adopted as a portion of the RTP.

10. Disadvantaged Business Enterprise Program (DBE)

A revised DBE Program was adopted by the Metro Council in December 1984. Overall agency goals were set for DBE's and WBE's as well as contract goals by type. The annual goal for all Department of Transportation-assisted DBE's is 10 percent and WBE's is 3 percent. The DBE Program is very specific about the RFP, bidding and contract process. In FY 87, no contracts were executed using Department of Transportation funds. The DBE/WBE goal may be partially met this fiscal year as some contractual work may be done.

11. Public/Private Transit Operators

Tri-Met and C-TRAN are the major providers of transit service in the region. Other public and private services are coordinated by these operators.

C-TRAN contracts directly for commuter service with Evergreen Stage Lines. This contract supplements Tri-Met and C-TRAN service between Portland and Vancouver.

On a test basis, private operators are providing regular service eliminated by Tri-Met. Evergreen Stage Lines is providing service on the Westover line. A private cab company (Broadway Cab) did provide the late night owl service, but recently terminated their service due to funding problems. Both Broadway and Evergreen are seeking demonstration funds from UMTA to allow for a one year transition period (from public to private operations) to rebuild patronage to former levels. In addition, the Buck Medical Service provides service on the Molalla to Oregon City line and on the Milwaukie Transit Center to Clackamas Town Center line.

Tri-Met also contracts for elderly and handicapped service with private entities such as the Broadway/Radio Cab Joint Venture and Special Mobility Services, Inc., and public agencies such as the Community Action Agencies of Clackamas and Multnomah Counties. Tri-Met also coordinates those agencies using federal programs (UMTA's 16(b) (2)) to acquire vehicles. Service providers in this category include Clackamas County Loaves and Fishes, the Jewish Community Center, Special Mobility Services, Inc. and others.

Tri-Met and Metro are also implementing a work program to ensure additional private sector participation in provision of transit service as soon as practicable. Special airport

transit services are also provided in the region (RAZ Transportation and Beaverton Airporter Services). Involvement with these services is limited to special issues.

6932C/491-2

FOR COPY OF

FY 88 UNIFIED WORK PROGRAM
(SEE REPORT FILE)

STAFF REPORT

Agenda Item No. _____

Meeting Date _____

CONSIDERATION OF RESOLUTION NO. 87-___ FOR THE PURPOSE OF AMENDING THE SECTION 3 "LETTER-OF-INTENT" PROGRAM AND AUTHORIZING THE ADDITION OF TWO NEW PROJECTS

Date: March 31, 1987 Presented by: Andrew Cotugno

PROPOSED ACTION

This resolution would 1) amend the Section 3 "Letter-of-Intent" Program based upon updated project costs and schedules and a pending request to extend the program to 1992; and 2) authorize the addition to the program of a transit station at Portland International Airport and Lake Oswego.

TPAC has reviewed this amendment and recommends approval of the Resolution.

FACTUAL BACKGROUND AND ANALYSIS

The Section 3 "Letter-of-Intent" provides a $76.8 million transit capital commitment for the time period through FY 88 to the Portland region for the purpose of improving the bus elements of the transit system; an amendment to extend the Letter-of-Intent to FY 92 has been requested. The status of the program is as follows:

- $48.4 million of grants have been awarded and is available for expenditure (including $1.2 million for contingencies).
- $9.7 million is programmed to complete the above projects.
- $16.9 million is programmed for projects that have not yet been initiated (including $1.3 million for contingency).
- $1.8 million remains unallocated.

The program was re-examined to determine whether the funds can be fully committed to projects previously authorized. If not, considerations should be given to initiating some alternate projects to ensure the funds can be fully expended. After reviewing costs and schedules, it is apparent that only a small amount remains to be reprogrammed. This resolution would update project costs and schedules and add two new projects with the following highlights:

- $2.5 million in contingencies is retained to allow for cost increases as project development proceeds.

- $2.3 million is set aside for traffic management improvements in Washington County and Beaverton that remains to be allocated to specific projects; a consultant's recommendations are pending.

- $4.7 million is set aside for improvements in downtown Portland that remains to be allocated to specific projects; several possibilities are under consideration.

- $1.2 million from funds previously allocated to Clackamas County is included for the addition of a new project -- the Lake Oswego Transit Station.

- $1.7 million from funds previously uncommitted in the Westside Reserve is recommended to be allocated to construction of a transit station at the Portland International Airport.

- Of the projects noted above, the source of local match support remains a concern for $16.6 million for which Tri-Met will not be able to provide the match (see Exhibit "A").

Alternatives for the use of these funds that are <u>not</u> recommended at this time are as follows:

- Routine transit capital such as bus replacement parts and equipment and additional LRT park-and-ride lots will be funded from Section 9 capital funding available to Tri-Met. In the event this source is insufficient, contingencies and reserves left in the Section 3 "Letter-of-Intent" Program, as well as funds resulting from projects dropped due to lack of match or ineligibility, may be sought at a future date. A subsequent TIP amendment will be required for this action.

- Funding for expansion of the transit system is not recommended with these funds because the amount available to consider using for other projects ($1.8 million) is simply not sufficient to fund any expansion-related capital improvements. Possibilities (if funds were available) could be: fleet expansion (both bus and LRT), LRT extensions (such as Sunset and/or I-205) and Jefferson Street trolley. Section 3 "Discretionary" funding will have to be sought at a later date for these purposes. Since funds from this Letter-of-Intent are <u>not</u> proposed for this purpose, an amendment to remove the "non-rail" restriction will not be sought.

The TIP Subcommittee will continue to monitor this program and return, if additional actions are necessary due to changes resulting from Tri-Met's adoption of a Transit Development Program, changes in project funding eligibility or new information on deadlines.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends adoption of Resolution No._____.

AC/sm
7229C/496-4
03/31/87

EXHIBIT "A"

Section 3 Letter-of-Intent

Local Match Status

A. Projects for which local match is committed:

Project	Federal $/Match $	Match Source
Bus Purchases (Balance)	$5,564,800/$1,391,200	State
Airport Transit Station (assumes UMTA elig.)	1,700,000/ 425,000	Port of Portland
Support Services	1,500,000/ 375,000	(1)
Section 3 Trade Reserve	105,559/ 26,390	Tri-Met
Transit Transfer	2,692,976/ 673,244	15% City of Port./ 5% Tri-Met
North Terminal Facility	1,040,000/ 260,000	Portland Development Commission
Westside TSM - Lovejoy Ramp	28,160/ 7,040	City of Portland
Transit Mall Est. North	2,944,000/ 736,000	City of Portland
Glisan Street Bus Lanes	363,200/ 90,800	City of Portland
Oregon City Transit Station	840,140/ 210,035	City/County Urban Renewal District/ State
Development of Tigard Transit Center	891,024/ 222,756	Lottery
Beaverton Park-and-Ride	800,000/ 200,000	Lottery
Sunset Transit Center & Park-and-Ride	8,489,235/ 2,122,309	Lottery & Private
Westside Bus Garage - Phase III	388,538/ 97,135	City of Beaverton/ Washington County
Washington County TSM (initial program)	1,339,960/ 334,990	Lottery
Hillsboro Transit Center	1,595,202/ 398,800	City of Hillsboro
Beaverton Transit Center	3,461,600/ 865,400	Lottery

1Same as project to which allocated.

B. Projects for which local match is not committed:

Project	Federal $/Match $
Park-and-Ride Lot Engineering	$ 295,494/$ 73,874
West Burnside/Morrison TSM	78,240/ 19,560
S.W. Transit Transfer Points	1,200,000/ 300,000
Downtown Portland TSM	4,699,460/ 1,174,865
Lake Oswego Transit Center & Park-and-Ride	1,200,000/ 300,000
Oregon City Park-and-Ride	1,200,000/ 300,000
Tigard Park-and-Ride	1,565,217/ 391,304
Washington County TSM (Balance)	1,175,183/ 293,796
Washington Square Transit Center	320,000/ 80,000
Tanasbourne Transit Center	560,000/ 140,000
Tualatin Transit Center	720,000/ 180,000
Central Beaverton TSM	1,138,400/ 284,600
Contingencies (3)	2,500,000/ 625,000
TOTAL UNCOMMITTED	$16,651,994/$4,162,999

AC/sm
7229C/496-2
03/31/87

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF AMENDING THE SECTION 3 "LETTER-OF-INTENT" PROGRAM AND AUTHORIZING THE ADDITION OF TWO NEW PROJECTS	)))))	RESOLUTION NO. Introduced by the Joint Policy Advisory Committee on Transportation

WHEREAS, The Section 3 "Letter-of-Intent" Program was established by Resolution No. 82-323; and

WHEREAS, A re-evaluation of the remainder of the program is needed; and

WHEREAS, New projects recommended for funding are consistent with the Regional Transportation Plan and the I-205 Transitway Study; now, therefore,

BE IT RESOLVED,

1. That the Council of the Metropolitan Service District amends the Transportation Improvement Program for the remainder of the Section 3 "Letter-of-Intent" Program costs and schedules as reflected on Attachment "A."

2. That the staff is directed to incorporate in the next ordinance to update the Regional Transportation Plan the addition of a Portland International Airport Transit Station.

3. That the TIP is amended to add the following projects:

Lake Oswego Transit Station	$1.2m
Portland International Airport Transit Station	$1.7m

4. That these actions are consistent with the Regional Transportation Plan and affirmative Intergovernmental Project Review is hereby given.

ADOPTED by the Council of the Metropolitan Service District this _____ day of _____, 1987.

_____
Richard Waker, Presiding Officer

AC/gl
7229C/496-2
03/25/87

ATTACHM[illegible]T "A"

METROPOLITAN SERVICE DISTRICT
TRANSPORTATION IMPROVEMENT PROGRAM
QUARTERLY REPORT FOR QUARTER ENDING 31-DEC 86

PROPOSED SECTION 3 TRADE CAPITAL PROGRAM

UMTA SECTION 3 TRADED CAPITAL PROGRAM

PHASE1
MAR206.DAT/CAT35A.NDX
MAR24D.TXT

24-Mar-87

	OBLICATED	1987	1988	1989	1990	1991	1992	AUTHORIZED	GRANT#
TRI-MET									
###1 WESTSIDE CORRIDOR RESERVE(T)########117#314####0###0.0###00007# N/A									30027
###2 BUS PURCHASES########154#319####0###0.0###00000# N/A									30035
CAP	4,608,408	956,392	0	0	0	0	0	5,564,800	
TOTAL	4,608,408	956,392	0	0	0	0	0	5,564,800	
###3 AIRPORT TRANSIT STATION(PORT OF PORTLAND)########369#656####0###0.0###00000# N/A									00000
CONST	0	0	1,700,000	0	0	0	0	1,700,000	
TOTAL	0	0	1,700,000	0	0	0	0	1,700,000	
###4 PARK AND RIDE LOT ENGINEERING(3)-MILW/OC/TIG########453#644####0###0.0###0# N/A									30035
PE	295,494	0	0	0	0	0	0	295,494	
TOTAL	295,494	0	0	0	0	0	0	295,494	
###5 WESTSIDE BUS GARAGE-PHASE II########706#332####0###0.0###00000# N/A									30027
CONST	5,640,810	0	0	0	0	0	0	5,640,810	
CAP	594,803	0	0	0	0	0	0	594,803	
TOTAL	6,235,613	0	0	0	0	0	0	6,235,613	
###6 SUPPORT SERVICES...RELOCATION & APPRAISAL COSTS/COST ALLOCATION########707#333####0###0.0###00000# N/A									30027
OTHER	592,766	0	907,234	0	0	0	0	1,500,000	
TOTAL	592,766	0	907,234	0	0	0	0	1,500,000	
###7 SECTION 3 TRADE RESERVE########741#334####0###0.0###00000# N/A									30027
OTHER	0	0	0	0	0	0	105,559	105,559	
TOTAL	0	0	0	0	0	0	105,559	105,559	
###8 BANFIELD TRANSITWAY########826#348####0###0.0###00000# FAP68									30025
CONST	20,150,000	0	0	0	0	0	0	20,150,000	
TOTAL	20,150,000	0	0	0	0	0	0	20,150,000	

METROPOLITAN SERVICE DISTRICT
TRANSPORTATION IMPROVEMENT PROGRAM
QUARTERLY REPORT FOR QUARTER ENDING 31-DEC 86

PROPOSED SECTION 3 TRADE CAPITAL PROGRAM

UMTA SECTION 3 TRADED CAPITAL PROGRAM

PHASE1
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24-Mar-87

	OBLIGATED	1987	1988	1989	1990	1991	1992	AUTHORIZED	GRANT#
TRI-MET (CONTINUED)									
TOTAL TRI-MET									
PE	295,494	0	0	0	0	0	0	295,494	
CONST	25,790,810	0	1,700,000	0	0	0	0	27,490,810	
CAP	5,203,211	956,392	0	0	0	0	0	6,159,603	
OTHER	592,766	0	907,234	0	0	0	105,559	1,605,559	
TOTAL	31,882,281	956,391	2,607,234	0	0	0	105,559	35,551,465	

METROPOLITAN SERVICE DISTRICT
TRANSPORTATION IMPROVEMENT PROGRAM
QUARTERLY REPORT FOR QUARTER ENDING 31-DEC 86

PROPOSED SECTION 3 TRADE CAPITAL PROGRAM

UMTA SECTION 3 TRADED CAPITAL PROGRAM

PHASE1
MAR206.DAT/CAT35A.NDX
MAR24D.TXT

24-Mar-87

	OBLICATED	1987	1988	1989	1990	1991	1992	AUTHORIZED	GRANT#
CITY OF PORTLAND									
9 TRANSIT TRANSFER PROJECT		576	322	0	0.0			00000	N/A 30027
PE	168,349	0	0	0	0	0	0	168,349	
CONST	880,971	0	0	0	0	0	0	880,971	
RESRV	0	0	328,000	328,000	328,000	328,000	331,656	1,643,656	
TOTAL	1,049,320	0	328,000	328,000	328,000	328,000	331,656	2,692,976	
10 WEST BURNSIDE/MORRISON TSM IMPROVEMENTS		600	323	0	0.0			00000	FA 7822 30027
PE	10,200	0	0	0	0	0	0	10,200	
CONST	68,040	0	0	0	0	0	0	68,040	
TOTAL	78,240	0	0	0	0	0	0	78,240	
11 NORTHWEST TRANSIT STATIONS		602	324	0	0.0			00000	N/A 00000
12 NORTH TERMINAL FACILITY		686	326	0	0.0			00000	N/A 30035
PE	36,000	0	0	0	0	0	0	36,000	
R/W	688,000	0	0	0	0	0	0	688,000	
CONST	316,000	0	0	0	0	0	0	316,000	
TOTAL	1,040,000	0	0	0	0	0	0	1,040,000	
13 WESTSIDE TSM-LOVEJOY RAMP		809	337	0	0.0			00000	N/A 30027
PE	2,560	0	0	0	0	0	0	2,560	
CONST	25,600	0	0	0	0	0	0	25,600	
TOTAL	28,160	0	0	0	0	0	0	28,160	
14 WESTSIDE TSM-SYLVAN BUS PULLOUT		813	338	0	0.0			00000	N/A 30027
PE	2,611	0	0	0	0	0	-2,611	0	
CONST	26,109	0	0	0	0	0	-26,109	0	
TOTAL	28,720	0	0	0	0	0	-28,720	0	
15 SOUTHWEST TRANSIT TRANSFER POINTS		815	339	0	0.0			00000	N/A 00000
RESRV	0	0	0	0	1,200,000	0	0	1,200,000	
TOTAL	0	0	0	0	1,200,000	0	0	1,200,000	

METROPOLITAN SERVICE DISTRICT
TRANSPORTATION IMPROVEMENT PROGRAM
QUARTERLY REPORT FOR QUARTER ENDING 31-DEC 86

PROPOSED SECTION 3 TRADE CAPITAL PROGRAM

UMTA SECTION 3 TRADED CAPITAL PROGRAM

PHASE1 24-Mar-87
MAR206.DAT/CAT35A.NDX
MAR24D.TXT

	OBLIGATED	1987	1988	1989	1990	1991	1992	AUTHORIZED	GRANT#
CITY OF PORTLAND (CONTINUED)									
**16 DOWNTOWN PORTLAND TSM		819	343	0	0.0			00000	N/A 00000
RESRV	0	0	0	0	0	0	4,699,460	4,699,460	
TOTAL	0	0	0	0	0	0	4,699,460	4,699,460	
**17 SUNSET TRUNKLINE TRANSIT TRANSFER POINTS		821	345	0	0.0			00000	N/A 00000
**18 TRANSIT MALL EXTENSION NORTH		822	346	0	0.0			00000	MISC 30035
PE	140,000	0	0	0	0	0	0	140,000	
RESRV	0	0	0	2,804,000	0	0	0	2,804,000	
TOTAL	140,000	0	0	2,804,000	0	0	0	2,944,000	
**19 CITY OF PORTLAND CONTINGENCY		833	657	0	0.0			00000	N/A 00000
RESRV	0	0	409,000	0	0	0	0	409,000	
OTHER	186,000	0	0	0	0	0	0	186,000	
TOTAL	186,000	0	409,000	0	0	0	0	595,000	
**20 GLISAN STREET BUS LANE		851	349	0	0.0			00000	FAU9314 30035
PE	37,360	0	0	0	0	0	0	37,360	
CONST	325,840	0	0	0	0	0	0	325,840	
TOTAL	363,200	0	0	0	0	0	0	363,200	
TOTAL CITY OF PORTLAND									
PE	397,080	0	0	0	0	0	-2,611	394,469	
R/W	688,000	0	0	0	0	0	0	688,000	
CONST	1,642,560	0	0	0	0	0	-26,109	1,616,451	
RESRV	0	0	737,000	3,132,000	1,528,000	328,000	5,031,116	10,756,116	
OTHER	186,000	0	0	0	0	0	0	186,000	
TOTAL	2,913,640	0	737,000	3,132,000	1,528,000	328,000	5,002,396	13,641,036	

METROPOLITAN SERVICE DISTRICT
TRANSPORTATION IMPROVEMENT PROGRAM
QUARTERLY REPORT FOR QUARTER ENDING 31-DEC 86

PROPOSED SECTION 3 TRADE CAPITAL PROGRAM

UMTA SECTION 3 TRACED CAPITAL PROGRAM

PHASE1
MAR206.DAT/CAT35A.NDX
MAR24D.TXT

24-Mar-87

	OBLIGATED	1987	1988	1989	1990	1991	1992	AUTHORIZED	GRANT#
CLACKAMAS COUNTY									
**21 MILWAUKIE TRANSIT STATION DEVELOPMENT								00000	N/A 30027
PE	3,200	0	0	0	0	0	0	3,200	
CONST	14,800	0	0	0	0	0	0	14,800	
TOTAL	18,000	0	0	0	0	0	0	18,000	
**22 OREGON CITY TRANSIT STATION								00000	N/A 30027
PE	50,820	0	0	0	0	0	0	50,820	
R/W	608,000	0	0	0	0	0	0	608,000	
CONST	181,320	0	0	0	0	0	0	181,320	
TOTAL	840,140	0	0	0	0	0	0	840,140	
**23 LAKE OSWEGO TRANSIT CENTER AND PARK AND RIDE								00000	N/A 00000
RESRV	0	0	0	1,200,000	0	0	0	1,200,000	
TOTAL	0	0	0	1,200,000	0	0	0	1,200,000	
**24 DEVELOPMENT OF MILWAUKIE PARK AND RIDE								00000	N/A 30027
**25 OREGON CITY PARK-AND-RIDE								00000	N/A 30027
RESRV	0	0	0	960,000	240,000	0	0	1,200,000	
TOTAL	0	0	0	960,000	240,000	0	0	1,200,000	
**26 CLACKAMAS COUNTY CONTINGENCY								00000	N/A 00000
RESRV	0	0	142,494	0	0	0	0	142,494	
OTHER	60,000	0	0	0	0	0	0	60,000	
TOTAL	60,000	0	142,494	0	0	0	0	202,494	
TOTAL CLACKAMAS COUNTY									
PE	54,020	0	0	0	0	0	0	54,020	
R/W	608,000	0	0	0	0	0	0	608,000	
CONST	196,120	0	0	0	0	0	0	196,120	
RESRV	0	0	142,494	2,160,000	240,000	0	0	2,542,494	
OTHER	60,000	0	0	0	0	0	0	60,000	
TOTAL	918,140	0	142,494	2,160,000	240,000	0	0	3,460,634	

METROPOLITAN SERVICE DISTRICT
TRANSPORTATION IMPROVEMENT PROGRAM
QUARTERLY REPORT FOR QUARTER ENDING 31-DEC 86

PROPOSED SECTION 3 TRADE CAPITAL PROGRAM

UMTA SECTION 3 TRADED CAPITAL PROGRAM

PHASE1
MAR206.DAT/CAT35A.NOX
MAR24D.TXT

24-Mar-87

	OBLIGATED	1987	1988	1989	1990	1991	1992	AUTHORIZED	GRANT#
WASHINGTON COUNTY									
**27 DEVELOPMENT OF TIGARD TRANSIT CENTER								00000	N/A
PE	47,184	0	0	0	0	0	0	47,184	30027
R/W	408,000	0	0	0	0	0	0	408,000	
CONST	435,840	0	0	0	0	0	0	435,840	
TOTAL	891,024	0	0	0	0	0	0	891,024	
**28 DEVELOPMENT OF TIGARD PARK AND RIDE								00000	N/A
RESRV	0	0	0	1,280,000	285,217	0	0	1,565,217	30027
TOTAL	0	0	0	1,280,000	285,217	0	0	1,565,217	
**29 BEAVERTON PARK-AND-RIDE STATION								00000	N/A
PE	74,400	0	0	0	0	0	0	74,400	30035
R/W	236,000	0	0	0	0	0	0	236,000	
CONST	500,800	0	0	0	0	0	0	500,800	
RESRV	0	0	0	0	0	0	-11,200	-11,200	
TOTAL	811,200	0	0	0	0	0	-11,200	800,000	
**30 SUNSET TRANSIT CENTER AND PARK-AND-RIDE STATION								00000	N/A
PE	320,435	0	0	0	0	0	0	320,435	30027
R/W	2,948,800	0	0	0	0	0	0	2,948,800	
RESRV	0	0	3,700,000	1,520,000	0	0	0	5,220,000	
TOTAL	3,269,235	0	3,700,000	1,520,000	0	0	0	8,489,235	
**31 WESTSIDE BUS GARAGE-PHASE III								00000	N/A
PE	36,538	0	0	0	0	0	0	36,538	30027
CONST	352,000	0	0	0	0	0	0	352,000	
TOTAL	388,538	0	0	0	0	0	0	388,538	
**32 WASHINGTON COUNTY TRANSIT TSM IMPROVEMENTS								00000	N/A
PE	115,320	0	0	0	0	0	0	115,320	30027
R/W	256,000	0	0	0	0	0	0	256,000	
CONST	968,640	0	0	0	0	0	0	968,640	
RESRV	0	0	0	0	0	0	1,175,183	1,175,183	
TOTAL	1,339,960	0	0	0	0	0	1,175,183	2,515,143	

	OBLIGATED	1987	1988	1989	1990	1991	1992	AUTHORIZED	GRANT#
WASHINGTON COUNTY (CONTINUED)									
**33 HILLSBORO TRANSIT CENTER WITH PARK AND RIDE				803	33	0	0.0	00000	N/A
PE	67,240	0	0	0	0	0	0	67,240	30027
R/W	855,560	0	0	0	0	0	0	855,560	
CONST	672,402	0	0	0	0	0	0	672,402	
TOTAL	1,595,202	0	0	0	0	0	0	1,595,202	
**34 BEAVERTON TRANSIT CENTER				806	336	0	0.0	00000	N/A
PE	289,600	0	0	0	0	0	0	289,600	30027
R/W	1,012,000	0	0	0	0	0	0	1,012,000	
CONST	2,160,000	0	0	0	0	0	0	2,160,000	
TOTAL	3,461,600	0	0	0	0	0	0	3,461,600	
**35 WASHINGTON SQUARE TRANSIT CENTER				816	340	0	0.0	00000	N/A
RESRV	0	0	0	0	0	0	320,000	320,000	00000
TOTAL	0	0	0	0	0	0	320,000	320,000	
**36 TANNESBOURNE TRANSIT CENTER				817	341	0	0.0	00000	N/A
RESRV	0	0	0	0	0	0	560,000	560,000	00000
TOTAL	0	0	0	0	0	0	560,000	560,000	
**37 TUALATIN TRANSIT CENTER				818	342	0	0.0	00000	N/A
RESRV	0	0	0	0	0	0	720,000	720,000	00000
TOTAL	0	0	0	0	0	0	720,000	720,000	
**38 CENTRAL BEAVERTON TSM				820	344	0	0.0	00000	N/A
RESRV	0	0	0	1,138,400	0	0	0	1,138,400	00000
TOTAL	0	0	0	1,138,400	0	0	0	1,138,400	
**39 WASHINGTON COUNTY CONTINGENCY				836	655	0	0.0	00000	N/A
RESRV	0	0	782,207	0	0	0	0	782,207	00000
OTHER	920,299	0	0	0	0	0	0	920,299	
TOTAL	920,299	0	782,207	0	0	0	0	1,702,506	

METROPOLITAN SERVICE DISTRICT
TRANSPORTATION IMPROVEMENT PROGRAM
QUARTERLY REPORT FOR QUARTER ENDING 31-DEC 86

PROPOSED SECTION 3 TRADE CAPITAL PROGRAM

UMTA SECTION 3 TRADED CAPITAL PROGRAM

PHASE1
MAR206.DAT/CAT35A.NDX
MAR24D.TXT

24-Mar-87

	OBLIGATED	1987	1988	1989	1990	1991	1992	AUTHORIZED	GRANT#
WASHINGTON COUNTY (CONTINUED)									
TOTAL WASHINGTON COUNTY									
PE	950,717	0	0	0	0	0	0	950,717	
R/W	5,716,360	0	0	0	0	0	0	5,716,360	
CONST	5,089,682	0	0	0	0	0	0	5,089,682	
RESRV	0	0	4,482,207	3,938,400	285,217	0	2,763,983	11,469,807	
OTHER	920,299	0	0	0	0	0	0	920,299	
TOTAL	12,677,058	0	4,482,207	3,938,400	285,217	0	2,763,983	24,146,865	
TOTAL UMTA SECTION 3 TRADED CAPITAL PROGRAM									
PE	1,697,311	0	0	0	0	0	-2,611	1,694,700	
R/W	7,012,360	0	0	0	0	0	0	7,012,360	
CONST	32,719,172	-1	1,700,000	0	0	0	-26,109	34,393,062	
CAP	5,203,211	956,392	0	0	0	0	0	6,159,603	
RESRV	0	0	5,361,701	9,230,400	2,053,217	328,000	7,795,009	24,768,417	
OTHER	1,759,065	0	907,234	0	0	0	105,559	2,771,858	
TOTAL	48,391,119	956,391	7,968,935	9,230,400	2,053,217	328,000	7,871,938	76,800,000	

METRO

2000 S.W. First Avenue
Portland, OR 97201-5398
503/221-1646

Memorandum

Date: April 2, 1987

To: JPACT

From: Richard Brandman, Senior Transportation Analyst RB

Regarding: LRT Studies

Attached is a brief summary of findings from the Milwaukie, Bi-State, I-205 and Sunset light-rail corridor studies. These are presented to give a general idea of how the corridors compare. It is important to understand that ridership forecasts in some corridors are for different horizon years and that operating cost methodologies were revised in some corridors, as the LRT study progressed.

Later this spring, after allowing for a reasonable time period to ascertain actual Banfield LRT operating costs, Tri-Met will reanalyze each corridor using current operations costs. Metro will also re-evaluate the projected ridership in each corridor, using a common horizon year and common population and employment forecasts.

RB:lmk

Attachment

Milwaukie Corridor Study

- Evaluated LRT alternatives from Hawthorne Bridge south on PTC right-of-way to approximately Mitchell Street. Continuing to central Milwaukie either on the PTC alignment, 17th Avenue through Sellwood or adjacent to McLoughlin Boulevard.

- Determined that it is essential to have a significant increase in transit in the Milwaukie corridor by the mid-1990's to ensure that McLoughlin Boulevard operates at an acceptable level of service and to avoid traffic infiltration into local neighborhoods.

- Found LRT to be the most promising alternative to meet the transit objective and that the life cycle costs would be 1.5 percent to 5.6 percent more costly than the bus alternative.

- Found that the McLoughlin Boulevard alignment has the greatest ridership potential and recommended that both it and the PTC alignment be maintained for further study. Dropped Sellwood alignment from further consideration.

- Reserved $1,000,000 from McLoughlin Reserve for DEIS/PE.

- New developments since the corridor was analyzed include 1) the PTC railroad may be sold to a private businessman; 2) OMSI may relocate to property in the corridor near the Marquam Bridge; and 3) the Oaks Amusement Park may be redeveloped into a major attraction.

Year 2000

Milwaukie Corridor Alternatives Comparison
(Dollars are in millions of 1984 dollars)

	Expanded Bus Service	PTC LRT	McLoughlin LRT
Daily Riders on Trunk	13,480	12,940	14,900
Daily Corridor Riders	33,760	33,840	34,030
P.M. Peak-Hour Riders	2,990	2,860	3,310
Travel Time (Minutes)	20.3	13.5	12.9
Initial Capital Cost	$16.47	$77.00	$85.42
Additional Annualized Capital Costs	*	$2.23	$2.52
Year 2000 Operating Cost Savings	*	$1.12	$2.11
Total Additional Cost in Year 2000	*	$1.11 (+4.15%)	$0.41 (+1.53%)

*Total corridor costs in the year 2000 for the Expanded Bus Service alternative are $22.87 million for operations, $3.85 million for annualized capital, $26.72 million total.

Bi-State Corridor Study

- Evaluated LRT alternatives from Vancouver, Washington to downtown Portland adjacent to either I-5 or Interstate Avenue, with both options crossing the Steel Bridge. Also analyzed cost and ridership impacts of stopping the line either at the Expo Center or Hayden Island to avoid costs of new bridges across the Oregon Slough and the Columbia River.

- Evaluated feasibility of LRT from Gateway to Vancouver Mall on I-205.

- Found that a major expansion of transit service is needed by the year 2000 to accommodate travel demand in the I-5 corridor. Without the increase in transit, an additional freeway lane would be required in each direction.

- Determined that light rail has the greatest promise to achieve transit goals in the long term, but that increased bus service in the I-5 corridor will adequately meet the transit demand in the next 10 to 15 years.

- Recommended that LRT in the I-5 corridor not be pursued at this time, largely because of the transit funding situation and because of the ability of buses to meet near-term demand.

- Found that LRT is feasible in the I-5 corridor in the long term and should be tied to an overall I-5 corridor transportation improvement strategy which would examine highway/transit tradeoffs.

- Found that there would be insufficient ridership to justify LRT across the I-205 bridge to Vancouver Mall.

- Found that the I-5 alignment would have greater ridership potential than the Interstate Avenue alignment and recommended that the I-5 alignment be included in the regional LRT system analysis for comparison with other corridors before a decision to proceed to a DEIS is made.

Year 2000

Bi-State Corridor Alternatives Comparison

(Dollars are in millions of 1984 dollars)

	Expanded Bus	I-5 LRT to Vanc. (Without Interstate Avenue Bus)	I-5 to Expo Center	Interstate Ave. to Vancouver
Daily Riders on Trunk	18,300	25,600	21,900	23,100
Daily Corridor Riders	33,700	35,200	32,100	33,500
P.M. Peak-Hour Riders	3,000	4,100	3,550	3,750
Travel Time (Minutes)	33.4	21.9	33.4	25.2
Initial Capital Cost	$11.0	$128.7	$84.9	$137.4
Additional Annualized Capital Costs	*	$ 4.6	$ 2.8	$ 4.9
Year 2000 Operating Cost Savings	*	$ 1.8	$ 0.9	$ 1.7
Total Additional Cost in Year 2000	*	$ 2.8 (+6.8%)	$ 1.9 (+4.7%)	$ 3.2 (+7.7%)

*Total corridor costs in the year 2000 for the Expanded Bus Service alternative are $36.45 million for operations, $5.04 million for annualized capital, and $41.49 million total.

3-26-87

I-205 Corridor Study

- Evaluated LRT alternative on exclusive right-of-way from Portland International Airport to the Clackamas Town Center.
- Evaluated busway, with buses operating in mixed traffic between the airport terminal and the Airport Way/I-205 interchange, and in a separated busway along I-205 to the Clackamas Town Center.
- Evaluated expanded bus service with buses operating in mixed traffic from the airport terminal to the Clackamas Town Center.
- Found that light rail has the highest ridership of all alternatives considered in the I-205 corridor. LRT would increase eastside transit ridership approximately 1.8 percent.
- Found that light rail in the I-205 corridor would increase ridership on the Banfield LRT by 30 percent in the year 2005.
- Found that I-205 is not a strong peak-hour transit corridor. Has lowest peak-hour volumes of corridors studied to date.
- Found that there is little difference in traffic volumes on I-205 associated with the transit alternatives.
- Found that light rail would cost as much or more to operate than buses in the corridor, but would have a high farebox recovery if a premium fare were charged to the airport.
- Found that there would be significant positive economic benefits if light rail were established to Portland International Airport.
- Found that light rail to the Clackamas Town Center would intensify development in its vicinity.
- Has approximately $17 million of Federal-Aid Interstate funds available for construction of busway. May be eligible for construction of light rail in the corridor upon passage of Surface Transportation Act.

Year 2005

I-205 Corridor Alternatives Comparison

(Dollars are in millions of 1985 dollars)

	Expanded Bus	Busway	LRT
Daily Riders on Trunk	8,000	10,900	19,350*
New Transit Riders	--	N.C.	3,600
P.M. Peak-Hour Peak Load Point	300	1,050	1,250
Travel Time (minutes)	39	28	22
Initial Capital Cost	$3.68	$31.45	$88.29**
Annualized Capital Cost	$0.46	N.C.	$ 6.24
Year 2005 Operating Cost	$1.98	$ 2.16	$ 2.90

* Approximately 8,250 riders north of Gateway; 11,100 riders south of Gateway.

** Approximately $38.54 million north of Gateway; $49.75 million south of Gateway.

NC Not calculated.

Westside Corridor Study

- Recommended Sunset LRT as the preferred alternative in the corridor. Alignment would follow Sunset Highway west to Highway 217, south to Beaverton, and west of Beaverton to 185th Street. A tunnel option through the west hills will also be evaluated during preliminary engineering.

- Found that a major increase in transit capacity is necessary in the corridor because a major highway expansion is not feasible to serve the significant increase in overall travel.

- Found that Sunset LRT provides the highest level of service to both the transit rider and the highway user.

- Found that Sunset LRT is the least expensive and most efficient option to operate by far.

- Found that the life cycle costs of LRT are within 1 percent of the bus service expansion costs.

- Found that Sunset LRT enhances economic development in downtown Portland, central Beaverton and urban Washington County.

- Tri-Met has approximately $917,000 in Section 9 funds and $366,000 in e(4) funds (with match) for preliminary engineering. An additional Section 9 grant is anticipated. Preliminary engineering is included in Tri-Met's FY 88 budget, which has not yet been adopted by the Tri-Met Board.

1995 Sunset LRT Evaluation*

Daily Riders	51,400
P.M. Peak-Hour Riders	9,300
New Transit Riders	8,800
Travel Time Savings (Portland to Beaverton)	8 minutes
Initial Capital Cost (1985 dollars)	$235 million
1995 Operating Cost Savings	$2.9 million

*All numbers are from March 1982 Westside DEIS. Ridership and costs will be re-evaluated in Sunset Preliminary Engineering Study.

Additional Analyses

- Determine long-range feasibility of light rail from Portland to Lake Oswego on abandoned Jefferson Street railroad line.
- Analyze ridership impact of six corridor LRT system (Banfield, Bi-State, Sunset, Barbur, Milwaukie, and I-205).
- Perform Phase I analysis of Barbur Boulevard corridor.
- Reanalyze ridership and operating costs in Bi-State, Sunset and Milwaukie corridors using updated population and employment forecasts and revised operating cost information.
- Analyze long-term feasibility of LRT "branches": e.g., Milwaukie to Oregon City, Clackamas Town Center to Oregon City, Highway 217 from Beaverton to Tualatin, Sunset Highway to Tanasbourne and Lake Oswego to Tualatin.

Schedule

- Complete Lake Oswego LRT analysis by July 1, 1987.
- Complete full LRT system analysis by July 1, 1987.
- Complete Barbur Boulevard study by September 1, 1987.
- Complete analysis of all other corridors by January 1, 1988.

RB:lmk
3-31-87

Senate Bill 770

Sponsored by COMMITTEE ON GOVERNMENT OPERATIONS AND ELECTIONS (at the request of Oregon Transit Association)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced.**

Allows mass transit district to claim refund of motor vehicle fuel taxes in same manner as cities if district or its contractors engage in operating motor vehicles on behalf of district.

A BILL FOR AN ACT

Relating to mass transit districts; amending ORS 267.200.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 267.200 is amended to read:

267.200. A district shall constitute a municipal corporation of this state, and a public body, corporate and politic, exercising public power. It shall be considered a unit of local government for the purposes of ORS 190.003 to 190.110, a public employer for the purposes of ORS 236.610 to 236.650, and a political subdivision for the purposes of ORS 305.620. [*It shall be entitled to tax refunds as allowed under ORS 319.831 to incorporated cities.*] It shall have full power to carry out the objects of its formation and to that end may:

(1) Have and use a seal, have perpetual succession, and sue and be sued in its own name.

(2) Acquire by condemnation, purchase, lease, devise, gift or voluntary grant real and personal property or any interest therein, located inside the boundaries of the district and take, hold, possess and dispose of real and personal property purchased or leased from, or donated by, the United States, or any state, territory, county, city or other public body, nonprofit corporation or person for the purpose of providing or operating a mass transit system in the district and aiding in the objects of the district.

(3) Contract with the United States or with any county, city, state, or public body, or any of their departments or agencies, or a nonprofit corporation, or any person, for the construction, acquisition, purchase, lease, preservation, improvement, operation or maintenance of any mass transit system.

(4) Build, construct, purchase, lease, improve, operate and maintain, subject to other applicable provisions of law, all improvements, facilities or equipment necessary or desirable for the mass transit system of the district.

(5) Enter into contracts and employ agents, engineers, attorneys and other persons and fix their compensation.

(6) Fix and collect charges for the use of the transit system and other district facilities.

(7) Construct, acquire, maintain and operate and lease, rent and dispose of passenger terminal facilities, motor vehicle parking facilities and other facilities for the purpose of encouraging use of the mass transit system within the district.

(8) Enter into contracts under ORS 190.003 to 190.620 with units of local government of the State of Oregon, whether within or without the district, or with the State of Washington or with

NOTE: Matter in **bold face** in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.

public agencies of the State of Washington, to act jointly or in cooperation with them or to provide mass transit services to areas under their jurisdictions, provided that the party contracting to receive the services shall pay to the mass transit district not less than the proportionate share of the cost of the services that the benefits to the contracting party bear to the total benefits from the service.

(9) Conduct programs and events and take other actions for the purpose of improving or maintaining employe relations.

(10) Improve, construct and maintain bridges over navigable streams subject only to ORS 382.125.

(11) Receive tax refunds as allowed under ORS 319.831 to incorporated cities when the district or its contractors engage in operating motor vehicles to provide mass transportation on behalf of the district.

[*(11)*] **(12)** Do such other acts or things as may be necessary or convenient for the proper exercise of the powers granted to a district by ORS 267.010 to 267.390.

Senate Bill 772

Sponsored by COMMITTEE ON GOVERNMENT OPERATIONS AND ELECTIONS (at the request of Oregon Transit Association)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced.**

Allows mass transit district to use its revenues for construction, repair and use of streets, roads and roadside areas in all counties in which district is situated.

Provides that such expenditure is valid without regard to whether streets, roads and roadside areas are within district or are used by mass transit system of district.

Declares emergency, effective on passage.

A BILL FOR AN ACT

Relating to mass transit districts; amending ORS 267.300 and 267.302; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 267.300 is amended to read:

267.300. **(1)** Subject to restrictions in the Oregon Constitution, a district board may finance construction, acquisition, purchase, lease, operation and maintenance of a mass transit system and related facilities for the purposes authorized under ORS 267.010 to 267.390 by:

[*(1)*] **(a)** Levy of ad valorem taxes under ORS 267.305.

[*(2)*] **(b)** Service charges and user fees collected under ORS 267.320.

[*(3)*] **(c)** Use of the revolving fund authorized under ORS 267.310.

[*(4)*] **(d)** Sale of bonds under ORS 267.330 to 267.345.

[*(5)*] **(e)** Levy of business license fees under ORS 267.360.

[*(6)*] **(f)** Levy of a tax measured by net income under ORS 267.370.

[*(7)*] **(g)** Levy of a tax measured by employer payrolls under ORS 267.380 and 267.385.

[*(8)*] **(h)** Use of funds accepted under ORS 267.390.

[*(9)*] **(i)** Short-term borrowings under ORS 267.400.

[*(10)*] **(j)** Levy of a tax measured by net earnings from self-employment under ORS 267.380 and 267.385.

[*(11)*] **(k)** Any combination of the provisions of [*subsections (1) to (10)*] **paragraphs (a) to (j)** of this [*section*] **subsection.**

(2) All or any part of the revenues or other funds raised by a district under paragraphs (a) to (k) of subsection (1) of this section may, by resolution of the district board, be expended by the district for the purpose of financing the construction, reconstruction, improvement, repair, maintenance, operation and use of public highways, roads, streets and roadside rest areas in any county in which the district operates its mass transit system without regard to whether such public highways, roads, streets and roadside rest areas are situated within or without the territorial jurisdiction of the district and without regard to whether the district uses such public highways, roads, streets and roadside rest areas in the operation of its mass transit system. All revenues and funds expended by a district for such purpose shall be deemed in all respects to have been expended in furtherance of the district's

NOTE: Matter in **bold face** in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.

mass transit system.

SECTION 2. ORS 267.302 is amended to read:

267.302. If a mass transit district was initiated by a resolution pursuant to ORS 267.107, the district shall not use any method of financing under ORS 267.300 other than a method of financing authorized to be used under ORS 267.300 [*(2), (8) to (10)*] **(1)(b), (h) to (j)** without first obtaining authorization at a properly called election held for that purpose.

SECTION 3. This Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this Act takes effect on its passage.

Senate Bill 773

Sponsored by COMMITTEE ON GOVERNMENT OPERATIONS AND ELECTIONS (at the request of Oregon Transit Association)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced.**

Allows mass transit district to levy tax on individual measured by wages. Requires district to levy such tax by ordinance at rate not exceeding .5 percent of wages paid to individual. Requires payroll tax on employers to be levied at same rate as tax on wages. Requires tax on net earnings from self-employment to be levied at combined rates of tax on wages and payroll tax. Establishes procedures for withholding and collection of tax on wages.

A BILL FOR AN ACT

Relating to the taxing power of mass transit districts; creating new provisions; and amending ORS 267.300, 267.380 and 267.385.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 267.300 is amended to read:

267.300. Subject to restrictions in the Oregon Constitution, a district board may finance construction, acquisition, purchase, lease, operation and maintenance of a mass transit system and related facilities for the purposes authorized under ORS 267.010 to 267.390 by:

(1) Levy of ad valorem taxes under ORS 267.305.

(2) Service charges and user fees collected under ORS 267.320.

(3) Use of the revolving fund authorized under ORS 267.310.

(4) Sale of bonds under ORS 267.330 to 267.345.

(5) Levy of business license fees under ORS 267.360.

(6) Levy of a tax measured by net income under ORS 267.370.

(7) Levy of a tax measured by employer payrolls under ORS 267.380 and 267.385.

(8) Use of funds accepted under ORS 267.390.

(9) Short-term borrowings under ORS 267.400.

(10) Levy of a tax measured by net earnings from self-employment under ORS 267.380 and 267.385.

(11) Levy of a tax measured by wages under sections 5 and 6 of this 1987 Act.

[*(11)*] **(12)** Any combination of the provisions of subsections (1) to [*(10)*] **(11)** of this section.

SECTION 2. ORS 267.380 is amended to read:

267.380. (1) As used in ORS 267.380 and 267.385, unless the context requires otherwise:

(a) "Employer" means:

(A) A person who is in such relation to another person that the person may control the work of that other person and direct the manner in which it is to be done; or

(B) An officer or employe of a corporation, or a member or employe of a partnership, who as such officer, employe or member is under a duty to perform the acts required of employers by ORS 316.162 to 316.212.

(b) "Employer" does not include an organization exempt from taxation under ORS 317.080 (4),

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except that "employer" does include hospitals.

(c) "Wages" means remuneration for services performed by an employe for the employer, including the cash value of all remuneration paid in any medium other than cash.

(d) "Net earnings from self-employment" has the same meaning as in section 1402 of the Internal Revenue Code of [*1954*] **1986**, as that section was in effect and operative on December 31, [*1980*] **1986**. For the purposes of computing net earnings from self-employment, a district may by ordinance from time to time adopt definitions of the terms used in such section 1402.

(e) "Individual" means any natural person.

(2) As used in this section and ORS 267.385, "wages" does not include remuneration paid:

(a) For services performed in the employ of the United States of America and institutions (excluding hospitals) exempt from taxation under ORS 317.080 (4).

(b) For domestic service in a private home if the total amount paid to such employe is less than $1,000 a year.

(c) For casual labor not in the course of the employer's trade or business.

(d) For services performed wholly outside of the district.

(e) To an employe whose services to the employer consist solely of seasonal labor in connection with the planting, cultivating or harvesting of agricultural crops.

(f) To seamen who are exempt from garnishment, attachment or execution under sections 596, 597, 598 and 601 of title 46, United States Code.

(g) To individuals temporarily employed as emergency fire fighters.

(h) If the remuneration is not subject to withholding under ORS chapter 316.

(i) To employes' trusts exempt from taxation under section 401 of the Internal Revenue Code, as defined by ORS 316.012.

(3) "Net earnings from self-employment" does not include income:

(a) From activities wholly outside of the district.

(b) Which is wages.

SECTION 3. ORS 267.385 is amended to read:

267.385. (1) To carry out the powers granted by ORS 267.010 to 267.390, a district may by ordinance impose an excise tax on every employer equal to not more than six-tenths of one percent of the wages paid with respect to the employment of individuals. **If a tax measured by wages is adopted under section 5 of this 1987 Act for any period, the excise tax on employers for such period shall be levied at the same rate as the tax measured by wages. The tax measured by wages under sections 5 and 6 of this 1987 Act shall be levied at the rate imposed by ordinance under sections 5 and 6 of this 1987 Act even though the employer of an individual subject to such tax is not subject to the excise tax on employers adopted under this section.** For the same purposes, a district may by ordinance impose a tax on each individual equal to not more than six-tenths of one percent of the individual's net earnings from self-employment. **If a tax measured by wages is adopted under section 5 of this 1987 Act for any period, the tax on individuals measured by net earnings from self-employment for the same period shall be levied at the combined rates of the tax measured by wages adopted under section 5 of this 1987 Act and the excise tax on employers adopted under this section.**

(2) No employer shall make a deduction from the wages of an employe to pay all or any portion of a tax imposed under this section.

(3) The provisions of ORS 305.620 are applicable to collection, enforcement, administration and

distribution of a tax imposed under this section.

(4) At any time an employer or individual fails to remit the amount of taxes when due under an ordinance of the district board imposing a tax under this section, the Department of Revenue may enforce collection by the issuance of a distraint warrant for the collection of the delinquent amount and all penalties, interest and collection charges accrued thereon. Such warrant shall be issued, docketed and proceeded upon in the same manner and have the same force and effect as prescribed with respect to warrants for the collection of delinquent state income taxes.

(5) Any ordinance adopted under subsection (1) of this section shall require an individual having net earnings from self-employment from activity both within and without the district taxable by the State of Oregon to allocate and apportion such net earnings to the district in the manner required for allocation and apportionment of income under ORS 314.280 and 314.605 to 314.675. Such ordinance shall give the individual the option of apportioning income based on a single factor designated by the ordinance.

(6) Any ordinance adopted under subsection (1) of this section with respect to net earnings from self-employment may impose a tax for a taxable year measured by each individual's net earnings from self-employment for the prior taxable year, whether such prior taxable year begins before or after November 1, 1981, or such ordinance.

(7) Any ordinance imposing a tax authorized by subsection (1) of this section shall not apply to any business, trade, occupation or profession upon which a tax is imposed under ORS 267.360.

SECTION 4. Sections 5 to 7 of this Act are added to and made a part of ORS chapter 267.

SECTION 5. (1) To carry out the powers granted by ORS 267.010 to 267.390, a district may by ordinance impose a tax on every individual equal to not more than .5 percent of the wages paid to the individual, such tax to be collected in a manner consistent with section 6 of this 1987 Act.

(2) As used in this section and section 6 of this 1987 Act:

(a) "Employer" means:

(A) A person who is in such relation to another person that the person may control the work of that other person and direct the manner in which it is to be done;

(B) An officer or employe of a corporation, or a member or employe of a partnership, who as such officer, employe or member is under a duty to perform the acts required of employers by ORS 316.162 to 316.212;

(C) The State of Oregon or any political subdivision in this state, with respect to work performed within the district by an employe of the State of Oregon or the political subdivision; or

(D) The United States or any instrumentality, authority, commission, agency or department thereof, with respect to work performed within the district by an employe of the United States or the instrumentality, authority, commission, agency or department thereof.

(b) "Individual" means any natural person.

(c) "Wages" means remuneration for services performed by an employe for the employer, including the cash value of all remuneration paid in any medium other than cash. "Wages" does not include remuneration paid:

(A) For domestic service in a private home if the total amount paid to such employe is less than $1,000 a year.

(B) For casual labor not in the course of the employer's trade or business.

(C) For services performed wholly outside of the district.

(D) To an employe whose services to the employer consist solely of seasonal labor in connection

with the planting, cultivating or harvesting of agricultural crops.

(E) To seamen who are exempt from garnishment, attachment or execution under sections 596, 597, 598 and 601 of title 46, United States Code.

(F) To individuals temporarily employed as emergency fire fighters.

(G) If the remuneration is not subject to withholding under ORS chapter 316.

(H) To employes' trusts exempt from taxation under section 401 of the Internal Revenue Code, as defined by ORS 316.012.

SECTION 6. (1) When a district has adopted an ordinance imposing a tax on wages under section 5 of this 1987 Act, except as provided in subsection (5) of this section, every employer, at the time of payment of wages to an employe shall deduct and retain from such wages an amount determined by multiplying the wages paid the employe by the rate of tax determined by the ordinance adopted under section 5 of this 1987 Act. Any ordinance adopted under section 5 of this 1987 Act shall require the tax measured by wages to be withheld by employers and to be remitted by them to the district at the times and in the manner set by the ordinance.

(2) The State of Oregon or any political subdivision in this state shall be considered employers as to their employes for the purpose of withholding the tax measured by wages. The district or the Department of Revenue as the district's agent is authorized to enter into any agreement that is necessary to implement withholding by the State of Oregon or any political subdivision in this state.

(3) The United States or any instrumentality, authority, commission, agency or department thereof, shall be considered employers as to their employes for the purpose of withholding the tax measured by wages. The district or the Department of Revenue as the district's agent is authorized to enter into any agreement that is necessary to implement withholding by the United States or any instrumentality, authority, commission, agency or department thereof.

(4) The ordinance adopted under section 5 of this 1987 Act shall impose liability on an employer for the tax plus interest, penalties and collection charges if the employer required under subsection (1) of this section to withhold and remit the tax measured by wages does not so withhold or remit. An ordinance adopted under section 5 of this 1987 Act may also impose this liability on a lender, surety or other person who supplies funds to or for the account of an employer for the purpose of paying wages of the employes of such employer.

(5) An ordinance adopted under section 5 of this 1987 Act that imposes a tax measured by wages shall provide for the collection of the tax from the employe in any case in which the tax has not been withheld. Both the employe and the employer shall remain liable for the tax until it is paid.

(6) When an employer withholds the full tax measured by wages of an employe under subsection (1) of this section, the amount withheld shall be considered to be in payment of the tax measured by wages imposed under the ordinance adopted under ORS 267.385 and the employe shall not be required to file a return for such tax under subsection (5) of this section.

(7) The provisions of ORS 305.620 are applicable to collection, enforcement, administration and distribution of a tax imposed by an ordinance adopted under section 5 of this 1987 Act and this section.

(8) At any time an employer or individual fails to remit the amount of taxes when due under an ordinance of the district board imposing a tax under section 5 of this 1987 Act, the Department of Revenue may enforce collection by the issuance of a distraint warrant for the collection of the delinquent amount and all penalties, interest and collection charges accrued thereon. Such warrant shall be issued, docketed and proceeded upon in the same manner and have the same force and effect

as prescribed with respect to warrants for the collection of delinquent state income taxes.

(9) Provisions similar to ORS 316.164, 316.167 (4), 316.189, 316.191, 316.197 to 316.207 and 316.212, modified to apply to a tax measured by wages contemplated by section 5 of this 1987 Act or the collection procedures contemplated by this section may be adopted by ordinance.

SECTION 7. (1) If a tax measured by wages adopted under section 5 of this 1987 Act or the collection of such tax is finally determined by a court to be illegal or invalid, then the excise tax on employers under ORS 267.385 shall be deemed to be imposed at a rate equal to twice the rate imposed by ordinance adopted under ORS 267.385 for the excise tax on employers, but no more than the rate authorized by the first sentence of ORS 267.385 (1).

(2) If the tax measured by wages adopted under section 5 of this 1987 Act or the collection of such tax is finally determined by a court to be illegal or invalid, then payments of the tax measured by wages collected under section 6 of this 1987 Act shall be deemed to be payments by the employers of the excise tax on employers adopted under ORS 267.385 and the employers deemed to have paid such tax shall refund to their employes an amount equal to the tax withheld under an ordinance adopted under sections 5 and 6 of this 1987 Act.

(3) Any suit claiming that a tax measured by wages under section 5 of this 1987 Act or the collection of such tax is illegal or invalid must be brought against the district imposing such tax. No employe has any right of action against an employer in respect to any moneys deducted or withheld from wages and paid over in compliance or intended compliance with a valid tax adopted under section 5 of this 1987 Act.

(4) A district that imposes a tax measured by wages under section 5 of this 1987 Act may appear as an intervenor at any conference, hearing or proceeding held by the Department of Revenue or any other agency or any court in connection with the tax or its collection. The district may be represented by its own counsel. The Department of Revenue or agency shall adopt rules governing the procedures to be followed by the district in making an appearance.

SOME QUESTIONS AND ANSWERS ABOUT SB 773

1. Q. Does this bill allow Tri-Met to increase the taxes on business?

   A. No. The bill does not allow the current rate on payroll tax to continue if the joint tax on wages and payroll is established.

2. Q. What kind of limit or cap does the proposed tax authority have?

   A. The proposed limit or cap would be 0.5 % (five-tenths of one percent) on the wages of an employee, collected from the employee, and 0.5 % (five-tenths of one percent) on the payroll of the employer, collected from the employer.

3. Q. How does that compare to present caps or limits?

   A. The present limit on Tri-Met's income tax authority is one percent (1%) of personal and corporate income. Its limit on the payroll tax is 0.6% (six-tenths of one percent).

4. Q. How, then, can Tri-Met get any more money, if the caps or limits are less than at present?

   A. Tri-Met would receive more tax revenue from the joint employee/employer tax because public sector employment would pay a transit tax (with the exception of the State of Oregon) for the first time, through its employees.

5. Q. What would the rate be?

   A. Tri-Met would need a rate of 0.3% (three-tenths of one percent) on employees and a 0.3% (three-tenths of one percent) on employers for an effective rate of 0.6% to match current payroll tax now collected at the statutory maximum of 0.6% (six-tenths of one percent).

6. Q. At a rate of 0.3%/0.3% for a total of 0.6%, would there be any more revenue generated?

   A. Yes. It would not be large, and it would come wholly from public sector employment. The estimate is about $4 million.

7. Q. If this would only raise $4 million, what is the advantage to Tri-Met and the community in asking the legislature to establish this authority?

A. Two reasons, it would broaden the base and provide a basis for growth.

8. Q. How does it broaden the base of support?

A. Wage earners would directly participate in providing revenue for mass transit. There are currently 450,000 wage earners in the Tri-County area who pay no tax for transit service. The employee wage tax portion of the proposal would ask these workers to pay about one-half of the tax support for transit. Until now, only business people pay Tri-Met taxes. About 2.5 percent of the population pay the payroll tax, while another 3 percent pay the self-employment tax. Under the proposal, everyone earning a wage, private and public employee, would help support transit.

9. Q. What would a typical wage earner pay?

A. The average Tri-County wage earner receives about $22,000 a year. That person would pay a tax of $66 a year at 0.3%, or $2.54 each two-week pay period.

10. Q. How does this allow for growth?

A. At a statutory limit of 0.5% on each portion of the combined tax, there are enough resources for mass transit needs in this community for the next 20 years.

11. Q. Does that mean the rate could change?

A. Yes, but not necessarily. Tri-Met Board members, in proposing this legislative request, have indicated that the goal of the Board is to keep costs where they are for the existing service level, and to increase them only when a service expansion or improvement is approved. If such an improvement is sought, the Board would depend first on normal growth in revenues. It understands that an improving economy will produce more tax revenues without any change in rates. Even if a rate increase were contemplated for future growth, the maximum rate of 0.5% is still one-tenth of one percent lower than the rate businesses now pay.

12. Q. How would the tax be collected?

A. It would be collected by means of a withholding tax on wages.

TRI-COUNTY
METROPOLITAN
TRANSPORTATION
DISTRICT
OF OREGON

TRI-MET

4012 S.E. 17TH AVENUE
PORTLAND, OREGON 97202

Summary

Senate Bills 770, 771, 772 & 773

Senate Government Operations & Elections Committee

April 3, 1987

SB 770

SB 770 would allow Tri-Met subcontractors, who are providing door-to-door transportation for the elderly and disabled, to qualify for a diesel fuel tax exemption. Currently, Tri-Met as a transit district is exempt from the state diesel fuel tax, but its subcontractors are not.

SB 770 would save our Special Needs Transportation providers an estimated $35,000 dollars annually, which would be translated directly into increased service. At the current $5.60 per ride cost, $35,000 dollars would provide an additional 6,250 rides per year.

SB 771

SB 771 amends the definition of "employer" for purposes of Tri-Met's payroll tax to include public employees. The new definition would include all cities, counties and special districts, but it would not include non-profit organizations. The State of Oregon currently pays a payroll tax in the form of the "in lieu of tax" to transit.

Levied at today's rate of 0.6%, SB 771 would net Tri-Met an estimated $3.7 million dollars annually.

SB 772

SB 772 clarifies Tri-Met's authority to expend funds on road related projects.

Tri-County governments have experienced difficulty

in past years levying gas taxes because of disparities in the amount of tax from county to county. SB 772 would enable Tri-Met to become the vehicle for collecting a regionally uniform gas tax if requested by local governments at some time in the future. Monies collected from such a tax would be passed through to cities and counties for road expenditures.

SB 773

This bill would authorize a 50% reduction in the employer payroll tax. It would effectively split the tax burden for transit between businesses and individual taxpayers.

Upon passage of the bill, the Tri-Met Board of Directors would move to impose a 0.3% tax on gross employer payrolls and a 0.3% tax on gross wages. This rate is equivalent to the present 0.6% payroll tax but, because it extends the tax to all employees, including public sector employees, it yields an additional $4.5 million per year for transit operating revenues.

The bill sets a statutory limit of 0.5% on the employers payroll tax, and 0.5% on the gross wage tax. Combined, this is equivalent to the existing 1% statutory limit on the income tax authority.

SB 773 authorizes a replacement tax but does not expand transit districts taxing authority. The tax cannot be levied if either a payroll tax or an income tax is in place.

DRAFT

MAR 2 3 1987

MEASURE SUMMARY

HB 2813

Allows electors in certain mass transit districts to petition for withdrawal of affected area from district if no direct service is provided. Defines "direct service." Establishes conditions necessary for mandatory withdrawal.

Establishes procedures for filing petition, public hearings, district study and determination of withdrawal.

A BILL FOR AN ACT

Relating to mass transit districts; creating new provisions; and amending ORS 267.208.

Be It Enacted by the People of the State of Oregon:

SECTION 1. Sections 2 to 7 of this Act are added to and made a part of ORS 267.010 to 267.390.

SECTION 2. As used in sections 2 to 7 of this 1987 Act:

(1) "Affected area" means a contiguous area of not less than one square mile in which [50] 200 or more district electors reside and which is within the boundaries of a district situated in a standard metropolitan statistical area with a population exceeding 400,000; provided that "affected area" shall not include any area which, if such area is withdrawn from the district as provided in this Act, there will remain within the district any other area which is not contiguous with the district; and provided further that "affected area" shall not include any area within the jurisdictional boundaries of any city with a population in excess of 10,000.

(2) "Direct service," with respect to an affected area described in a petition filed under section 3 of this 1987 Act,

means the location or placement of any of the facilities of the district or of any route used by the transit system of the district within [one] two miles of any boundary of the affected area.

SECTION 3. (1) If the electors of an affected area [to which no direct service is provided by the district] wish to withdraw from the district, they may file a petition for withdrawal with the district board at the times and in the manner provided in this section.

(2) A petition for withdrawal under this section shall only be filed during the period commencing January 1, 1989 and ending August 30, 1989 or during the period commencing January 1 and ending August 30 of every fifth calendar year following calendar year 1989.

(3) A petition for withdrawal under this section shall be signed by not less than 15 percent of the electors registered in the affected area described in the petition.

(4) A petition filed under this section shall contain substantially the following:

(a) A statement that the petition is filed pursuant to sections 2 to 7 of this 1987 Act;

(b) The names of the district and all affected counties; and

(c) A request that proceedings be commenced for the withdrawal of the affected area from the district.

(5) There shall be attached to the petition a map which clearly and precisely shows [indicating] the exterior boundaries of the affected area by reference to prominent landmarks such as streets, highways, rivers or the jurisdictional boundaries of cities or counties. The map shall be used in lieu of a metes and bounds or legal description of the affected area.

(6) The district board, within five days after receiving a petition filed under this section and which conforms to the requirements of subsections (2), (3), (4) and (5) of this section 3, shall file the petition with [the county clerk] clerks of [the] each county in which any part of the affected area is located for signature verification.

SECTION 4. (1) When the county clerks to whom a petition is submitted under section 3 of this 1987 Act certifies that the petition contains the number of valid signatures required under section 3 of this 1987 Act, the district board shall schedule a public hearing on the petition. In its discretion, a district board may hold a single public hearing with respect to two or more petitions.

(2) The district board shall schedule the public hearing for a date which is not earlier than 20 days following the date upon which the study of the affected area required under section 5 of this Act has been completed, but in no event shall the public hearing be held [not] later than the [45th] 90th day after the board receives certification from the county clerk under subsection (1) of this section.

(3) The district board shall have notice of the hearing printed once in a newspaper in general circulation within the district [affected area]. The notice shall be published at least five days prior to the hearing. Notice of the published hearing shall also be posted in at least four different locations within the affected area that are customarily used for the purpose of posting public notice. The notice shall be posted not less than 15 days prior to the date specified in the notice for the hearing and shall be posted for not less than five consecutive days. The notice required under this section shall contain the time and place of the hearing, the purpose of the hearing, a description of the affected area, the extent to which taxes imposed by the district will be increased in the remaining portions of the district as a result of the withdrawal of the affected area, a statement that the requisite number of electors of a district may file a petition with the district board pursuant to section 5(5) of this Act to prevent the withdrawal of the affected area, the date on which the district board intends to finally dispose of the petition pursuant to section 5(2) of this Act (which date shall be designated in the notice as the earliest date by which any petition under section 5(5) of this Act must be filed, but which date may thereafter be changed to a later date by the district board in its discretion), a statement that the study of the affected area required under section 5 of this Act is on file at the district offices and available for copying and public inspection, and a statement that the public

may appear and be heard on the issue of withdrawal of the affected area from the district.

(4) The hearing required under this section [shall] may be conducted by a hearings officer appointed by the district board.

SECTION 5. (1) After receiving certification by the county clerk or clerks under section 4(1) of this Act of a petition for withdrawal filed under section 3 of this 1987 Act, the district board shall conduct a study of [existing service to] the affected area described in the petition. The district board, in its discretion, may also conduct an overall study of several affected areas. The study shall consider:

(a) The extent to which residents of the affected area currently use the mass transit services and facilities of the district;

(b) The amount of district revenues raised within the affected area during the last three completed fiscal years of the district, separately identifying the amount of revenues derived from taxes imposed by the district and the amount of revenues derived from other sources;

(c) The history of the mass transit services provided to the affected area;

(d) Whether or when direct service will be provided to the affected area;

(e) The number of previous petitions filed under section 3 of this Act with respect to [requests from persons within] the

affected area or portions thereof [to be excluded from the district]; and

(f) The effect of withdrawal of the affected area on the district, including the extent to which taxes imposed by the district in the remaining portions of the district will be increased pursuant to section 6 of this Act as a result of the withdrawal of the affected area.

(2) After completion of the study conducted under subsection (1) of this section and the public hearing required under section 4 of this Act, but not later than the [day after] January 1st next following the date the petition was filed with the district board, [the filing of the withdrawal petition with the district board,] the district board shall adopt an ordinance withdrawing the affected area from the district or shall adopt a resolution denying the petition for withdrawal.

(3) Notwithstanding ORS 267.207 (3)(b), the district board shall approve withdrawal if:

(a) The district board finds that the use of the mass transit system of the district by residents of the affected area is less than _____ rides per month for every 1,000 residents;

(b) The district board determines that direct service to the affected area is not planned for at least five years;

(c) The residents and businesses within the affected area have demonstrated that district fees and taxes have adversely affected employment, population or commercial activity within the affected area; and

(d) The district board has not received a petition signed by not less than 15 percent of the electors within the affected area seeking continuation of the district's jurisdiction over the affected area.

(4) Notwithstanding ORS 267.207 (3)(b), the district board may withdraw the affected area from the district when the conditions of subsection (3) of this section are not satisfied if the board considers such withdrawal to be in the best interests of the district and the affected area.

(5) At any time following the filing of a petition pursuant to section 3 of this Act and prior to the earlier to occur of the time at which the district board finally disposes of such petition pursuant to section 5(2) of this Act or the November 30 next following the date the petition was filed with the district board, the electors of the district may file a petition with the district board opposing the withdrawal of the affected area. A petition opposing withdrawal shall be signed by not less than the lesser of:

(a) twice the number of electors required to sign the original petition under section 3(2) of this Act; or

(b) 5,000 electors of the district.

A petition filed under this section 5(5) shall contain substantially the following: a statement that the petition is filed pursuant to this section 5(5); a copy of the form of the petition filed with the district board requesting that proceedings be commenced for the withdrawal of the affected area from the

district; and a request that the district board not adopt an ordinance withdrawing the affected area from the district. The district board, within five days after receiving a petition filed under this section 5(5), shall file the petition with the clerks of each county in which any part of the district is located for signature verification.

Notwithstanding any other provision of this Act, if a petition has been filed pursuant to this section 5(5) opposing the withdrawal of an affected area, then the district board shall either:

(i) adopt an ordinance denying the petition for withdrawal; or

(ii) by resolution, refer an ordinance approving the withdrawal to the electors of the district for their approval at the next primary or general election for which the notice of district election on such measure can be timely filed pursuant to ORS 255.085(1). Any ordinance referred to the electors of the district pursuant to this Section 5(5)(ii) may only be submitted to the electors for their approval at a primary or general election.

Except upon the approval of a majority of the electors of the district voting thereon, no ordinance approving the withdrawal of an affected area from the district shall take effect if a petition opposing such withdrawal has been filed pursuant to this Section 5(5).

[(5)] (6) Any decision of the district board relating to withdrawal of an affected area under sections 2 to 7 of this 1987 Act may be reviewed by a circuit court under ORS 34.010 to 34.100.

SECTION 6. An affected area withdrawn from a district under section 2 to 7 of this 1987 Act shall, from the effective date of the ordinance withdrawing the affected area from the district, be free from assessments and taxes levied thereafter by the district. An ordinance approving the withdrawal of an affected area shall take effect on the January 1st next following the date upon which the related petition was filed with the district board; provided that, in the event an ordinance approving the withdrawal of an affected area is submitted to the electors of the district for their approval, then such ordinance shall take effect on the January 1st next following the date of the election at which a majority of the electors of the district approved such ordinance. [When the total unlimited taxing power of the district over the area not withdrawn from the district does not entirely satisfy the bonded or other indebtedness incurred prior to the withdrawal, the district may increase the rate of tax authorized under ORS 267.385(1) to that rate sufficient to assure payment of bonded and other indebtedness of the district.] Commencing immediately upon the effective date of any ordinance withdrawing an affected area from the district and notwithstanding any other provision of law to the contrary, the rate of each tax imposed by the district shall automatically

be increased as provided in this section 6. The rate of each tax imposed by a district shall be increased to a rate equal to the rate determined pursuant to the following formula:

(a) the rate at which such tax was levied immediately prior to the effective date of the ordinance approving the withdrawal of the affected area; plus

(b) a rate equal to percentage that (i) the total revenue derived from such tax by the district from the withdrawn affected area during any one of the last three completed fiscal years of the district, is of (ii) the total revenues derived from such tax by the district from the entire district during the same fiscal year of the district used for purposes of (i) above.

SECTION 7. Notwithstanding ORS 199.425, the alteration of the boundaries of a district under sections 2 to 7 of this 1987 Act is not subject to the jurisdiction or review of a local government boundary commission.

SECTION 8. ORS 267.208 is amended to read:

267.208. (1) An alteration of the boundaries of a district under ORS 267.207 or sections 2 to 7 of this 1987 Act shall not become effective during the period:

(a) Beginning after the 90th day before a primary or general election and ending on the day after the election; or

(b) Beginning after the 34th day before any other election held by the district and ending on the day after the election.

(2) If the effective date established for the alteration of the boundaries is a date that is prohibited under this section, the alteration shall become effective on the day after the election.

(3) For the purposes of ORS 308.225 only, the effective date of an alteration of district boundaries shall be the date on which the board adopts the ordinance altering the boundaries or, if such an ordinance is initiated or referred, the date on which the ordinance is approved by the electors as provided in ORS 267.207.

House Bill 2783

Sponsored by COMMITTEE ON HOUSING AND URBAN DEVELOPMENT (at the request of Oregon State Home Builders Association)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced.**

Defines "new construction" for purposes of determining increase in tax base due to new construction. Prohibits imposition of certain system development charges after operative date of the Act. Becomes operative on effective date of constitutional amendment allowing growth in tax base if there is new construction in tax unit (House Joint Resolution 18).

A BILL FOR AN ACT

Relating to finance.

Be It Enacted by the People of the State of Oregon:

SECTION 1. For purposes of section 11, Article XI, Oregon Constitution, and as used in this Act, unless the context otherwise requires:

(1) "New construction" or "newly constructed real property" means real property that causes an increase in the true cash value of a taxing unit for the fiscal year and is:

(a) A building or structure newly created or made or in the process of making or creating; or

(b) The portion of an existing building or structure newly added or in the process of being newly added if, as a result of the addition, the exterior perimeters of the existing building are enlarged or a new story or stories are added. However, a new building or structure or an addition to an existing building or structure shall not be considered "new construction" or "newly constructed real property" unless a permit for the construction is issued under the structural code, as defined in ORS 456.750, and the construction causes a physical reappraisal of the property for the fiscal year for ad valorem property tax purposes.

(2) "Urban renewal area" means an urban renewal area for which a certificate has been filed under ORS 457.430 and for which the plan for the urban renewal area contains a provision that the ad valorem taxes be divided in accordance with ORS 457.440.

SECTION 2. For purposes of determining the increase in the tax base of a taxing unit under paragraph (d) of subsection (4) of section 11, Article XI, Oregon Constitution, the value of commercial facilities under construction granted cancellation of assessment under ORS 307.330 and 307.340 and the value of multiple-unit housing exempt from ad valorem taxation under ORS 307.600 to 307.690 shall be included in determining the amount of increase in true cash value for the taxing unit caused by new construction or newly constructed real property for the fiscal year in which the cancellation or exemption is first terminated.

SECTION 3. (1) An increase in true cash value as a result of new construction in an urban renewal area shall not be taken into consideration in determining an increase in the tax base for a taxing unit in which the urban renewal area is located under paragraph (d) of subsection (4) of section 11, Article XI, Oregon Constitution, unless, for the fiscal year, the total true cash value of the taxable property in the urban renewal area exceeds the total true cash value specified in the

certificate or amended certificate filed under ORS 457.430. However, if the total true cash value of the taxable property in the urban renewal area exceeds the total true cash value specified in the certificate or amended certificate, the increase in true cash value over the amount specified in the certificate or amended certificate in the urban renewal area caused by new construction shall be taken into consideration in computing the increase in the tax base of the taxing unit under paragraph (d) of subsection (4) of section 11, Article XI, Oregon Constitution, subject to and in the manner provided in subsection (2) and paragraphs (b) and (c) of subsection (3) of this section.

(2) For each fiscal year, the county assessor shall compute the amount of increase in true cash value of all taxable real property in each taxing unit that is caused by new construction both inclusive and exclusive of the value of the new construction that takes place in an urban renewal area over the amount specified in the certificate or amended certificate.

(3) The computations made under subsection (2) of this section shall be used to determine the increase in tax base of a taxing unit on account of new construction under paragraph (d) of subsection (4) of section 11, Article XI, Oregon Constitution, for the fiscal years described as follows:

(a) For any fiscal year in which the levy of the taxing unit is divided under ORS 457.440, or for any fiscal year immediately following a fiscal year in which the levy of the taxing unit is divided under ORS 457.440, the amount computed by the assessor under subsection (2) of this section that is exclusive of the new construction in the urban renewal area shall be used to determine the increase in tax base under paragraph (c) of subsection (4) of section 11, Article XI, Oregon Constitution.

(b) The increase in true cash value of a taxing unit in which an urban renewal area is located caused by new construction in the urban renewal area over the amount specified in the certificate or amended certificate shall first be reflected in the tax base of the taxing unit for the fiscal year following the fiscal year in which the full value in the taxing unit is placed upon the assessment and tax roll under ORS 457.450 (2). The increase in tax base caused by the new construction in the urban renewal area shall be reflected by making the following calculations, which shall be used solely to determine the tax base for the taxing unit for the fiscal year described in this paragraph:

(A) For each consecutive fiscal year beginning on and after July 1, 1989, or on and after July 1 of the second fiscal year following the fiscal year in which new construction in an urban renewal area first exceeds the amount specified in the certificate or amended certificate, whichever is the later, recalculate the tax base of the taxing unit in the manner described in paragraph (d) of subsection (4) of section 11, Article XI, Oregon Constitution, using the prior year's tax base or recalculated tax base, whichever is applicable, and the amount computed by the assessor under subsection (2) of this section that is inclusive of new construction in the urban renewal area over the amount specified in the certificate or amended certificate.

(B) Using the amount that is finally arrived at under subparagraph (A) of this paragraph as the recalculated tax base for the fiscal year preceding the fiscal year to which this section applies as the previous year's tax base, and the amount computed by the assessor under subsection (2) of this section that is inclusive of new construction in the urban renewal area over the amount specified in the certificate or amended certificate, determine the tax base for the taxing unit under section 11, Article XI, Oregon Constitution for the fiscal year described in this paragraph.

(c) For each fiscal year after the fiscal year described in paragraph (b) of this subsection, the increase in tax base of the taxing unit shall be determined under paragraph (d) of subsection (4) of section 11, Article XI, Oregon Constitution, using the new construction amount computed by the

assessor under subsection (2) of this section that includes the new construction in the urban renewal area over the amount specified in the certificate or amended certificate.

SECTION 4. For purposes of determining the increase in tax base of a taxing unit under paragraph (d) of subsection (4) of section 11, Article XI, Oregon Constitution, if the new construction takes place on the same building site as a building or structure destroyed or damaged by any cause, the value shall be included only to the extent that the value of the newly constructed real property exceeds the value of the existing building or structure immediately prior to its damage or destruction.

SECTION 5. (1) Notwithstanding any law or rule to the contrary, on or after the operative date of this Act, a city, county or other municipal corporation or political subdivision of this state shall not impose, under ordinance or otherwise, a system development charge.

(2) As used in this section:

(a) "Capital improvement" means any of the following public facilities or assets: Water treatment and distribution facilities, waste water treatment facilities, sanitary sewers, storm water and flood control facilities, and road systems. "Capital improvement" includes expansion of existing capital improvements in order to add capacity to serve new residential development. "Capital improvement" shall be further defined by the Real Estate Commissioner by rule.

(b) "Developer" means a developer as defined in ORS 92.305.

(c) "System development charge" means any charge, fee or assessment levied against a developer of land intended for residential use or builder of homes or multifamily dwellings, where any portion of the revenues collected are intended to fund any portion of the cost of capital improvements necessary to meet the needs caused by new residential development.

(3) This section shall not apply to any systems development charge that has been billed prior to the operative date of this Act.

SECTION 6. This Act shall not become operative until the effective date of the constitutional amendment proposed by House Joint Resolution 18 (1987 regular session). However, the Department of Revenue and the county assessors shall take any action before the effective date of House Joint Resolution 18 that is necessary to secure its implementation, including but not limited to the determination of new construction value amounts for 1987 and 1988.

A-Engrossed
Senate Bill 5534

Ordered by the Senate March 16
Including Senate Amendments dated March 16

PRINTED PURSUANT TO ORS 171.130 by order of the President of the Senate in conformance with presession filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Executive Department)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Appropriates *[$945,758]* **$943,053** from General Fund to Public Transit Division of Department of Transportation for biennial expenses.

Limits biennial expenditures from fees, moneys or other revenues including Miscellaneous Receipts, excluding federal funds, collected or received by Public Transit Division of Department of Transportation to *[$8,362,257]* **$8,355,766**.

Limits biennial expenditures of Public Transit Division of Department of Transportation from federal funds to *[$3,108,855]* **$3,122,175**.

Excludes revenue from local governments or private nonprofit organizations for purpose of matching federal funds for capital acquisition from expenditure limitations.

Subjects agency to Executive Department allotment process.

Declares emergency, effective July 1, 1987.

A BILL FOR AN ACT

Relating to the financial administration of the Public Transit Division of the Department of Transportation; appropriating money; limiting expenditures; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. There is appropriated to the Public Transit Division of the Department of Transportation, for the biennium beginning July 1, 1987, out of the General Fund, the amount of $943,053.

SECTION 2. Notwithstanding any other law, the amount of $8,355,766 is established for the biennium beginning July 1, 1987, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, excluding federal funds, collected or received by the Public Transit Division of the Department of Transportation.

SECTION 3. Notwithstanding any other law, the amount of $3,122,175 is established for the biennium beginning July 1, 1987, as the maximum limit for the payment of expenses from federal funds collected or received by the Public Transit Division of the Department of Transportation.

SECTION 4. Notwithstanding section 2 of this Act, or any other law, moneys collected or received during the biennium beginning July 1, 1987, from local governments or private nonprofit organizations for the purpose of matching federal funds for capital acquisition shall not be subject to limitation.

SECTION 5. Notwithstanding any other law, all sections of this Act are subject to Executive Department rules and regulations related to allotting, controlling, and encumbering funds.

SECTION 6. This Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this Act takes effect July 1, 1987.

Note: For budget, see 1987-89 Biennial Budget, Page F-29.

NOTE: Matter in **bold face** in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted.

SENATE AMENDMENTS TO SENATE BILL 5534

By JOINT COMMITTEE ON WAYS AND MEANS

March 16

In line 6 of the printed bill, delete "$945,758" and insert "$943,053".

In line 7, delete "$8,362,257" and insert "$8,355,766".

In line 11, delete "$3,108,855" and insert "$3,122,175".

Senate Bill 771

Sponsored by COMMITTEE ON GOVERNMENT OPERATIONS AND ELECTIONS (at the request of Oregon Transit Association)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced.**

Changes definition of "employer" for purposes of certain taxing powers of mass transit districts to include State of Oregon and political subdivisions.

Provides that state or political subdivision is employer only for work done within district by employes of state or subdivision.

A BILL FOR AN ACT

Relating to the taxing power of mass transit districts; amending ORS 267.380.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 267.380 is amended to read:

267.380. (1) As used in ORS 267.380 and 267.385, unless the context requires otherwise:

(a) "Employer" means:

(A) A person who is in such relation to another person that the person may control the work of that other person and direct the manner in which it is to be done; [*or*]

(B) An officer or employe of a corporation, or a member or employe of a partnership, who as such officer, employe or member is under a duty to perform the acts required of employers by ORS 316.162 to 316.212; **or** [.]

(C) The State of Oregon or any political subdivision in this state with respect to work performed within the district by an employe of the State of Oregon or the political subdivision.

(b) "Employer" does not include an organization exempt from taxation under ORS 317.080 (4), except that "employer" does include hospitals.

(c) "Wages" means remuneration for services performed by an employe for the employer, including the cash value of all remuneration paid in any medium other than cash.

(d) "Net earnings from self-employment" has the same meaning as in section 1402 of the Internal Revenue Code of [*1954*] **1986**, as that section was in effect and operative on December 31, [*1980*] **1986**. For the purposes of computing net earnings from self-employment, a district may by ordinance from time to time adopt definitions of the terms used in such section 1402.

(e) "Individual" means any natural person.

(2) As used in this section and ORS 267.385, "wages" does not include remuneration paid:

(a) For services performed in the employ of the United States of America and institutions (excluding hospitals) exempt from taxation under ORS 317.080 (4).

(b) For domestic service in a private home if the total amount paid to such employe is less than $1,000 a year.

(c) For casual labor not in the course of the employer's trade or business.

(d) For services performed wholly outside of the district.

NOTE: Matter in **bold face** in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.

(e) To an employe whose services to the employer consist solely of seasonal labor in connection with the planting, cultivating or harvesting of agricultural crops.

(f) To seamen who are exempt from garnishment, attachment or execution under sections 596, 597, 598 and 601 of title 46, United States Code.

(g) To individuals temporarily employed as emergency fire fighters.

(h) If the remuneration is not subject to withholding under ORS chapter 316.

(i) To employes' trusts exempt from taxation under section 401 of the Internal Revenue Code, as defined by ORS 316.012.

(3) "Net earnings from self-employment" does not include income:

(a) From activities wholly outside of the district.

(b) Which is wages.

House Bill 2813

Sponsored by Representatives McTEAGUE, CEASE, HOOLEY, KOTULSKI, MINNIS, SOWA, Senator KENNEMER

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced.**

Allows electors in certain mass transit districts to petition for withdrawal of affected area from district if no direct service is provided. Defines "direct service." Establishes conditions necessary for mandatory withdrawal.

Establishes procedures for filing petition, public hearings, district study and determination of withdrawal.

A BILL FOR AN ACT

Relating to mass transit districts; creating new provisions; and amending ORS 267.208.

Be It Enacted by the People of the State of Oregon:

SECTION 1. Sections 2 to 7 of this Act are added to and made a part of ORS 267.010 to 267.390.

SECTION 2. As used in sections 2 to 7 of this 1987 Act:

(1) "Affected area" means a contiguous area in which 50 or more district electors reside and which is within the boundaries of a district situated in a standard metropolitan statistical area with a population exceeding 400,000.

(2) "Direct service," with respect to an affected area described in a petition filed under section 3 of this 1987 Act, means the location or placement of any of the facilities of the district or of any route used by the transit system of the district within one mile of any boundary of the affected area.

SECTION 3. (1) If the electors of an affected area to which no direct service is provided by the district wish to withdraw from the district, they may file a petition for withdrawal with the district board.

(2) A petition for withdrawal under this section shall be signed by not less than 15 percent of the electors registered in the affected area described in the petition.

(3) A petition filed under this section shall contain substantially the following:

(a) A statement that the petition is filed pursuant to sections 2 to 7 of this 1987 Act;

(b) The names of the district and all affected counties; and

(c) A request that proceedings be commenced for the withdrawal of the affected area from the district.

(4) There shall be attached to the petition a map indicating the exterior boundaries of the affected area. The map shall be used in lieu of a metes and bounds or legal description of the affected area.

(5) The district board, within five days after receiving a petition filed under this section, shall file the petition with the county clerk of the county in which the affected area is located for signature verification.

SECTION 4. (1) When the county clerk to whom a petition is submitted under section 3 of this 1987 Act certifies that the petition contains the number of valid signatures required under section 3 of this 1987 Act, the district board shall schedule a public hearing on the petition.

NOTE: Matter in **bold face** in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.

(2) The district board shall schedule the public hearing for a date not later than the 45th day after the board receives certification from the county clerk under subsection (1) of this section.

(3) The district board shall have notice of the hearing printed once in a newspaper in general circulation within the affected area. The notice shall be published at least five days prior to the hearing. Notice of the published hearing shall also be posted in at least four different locations within the affected area that are customarily used for the purpose of posting public notice. The notice shall be posted not less than 15 days prior to the date specified in the notice for the hearing and shall be posted for not less than five consecutive days. The notice required under this section shall contain the time and place of the hearing, the purpose of the hearing and a statement that the public may appear and be heard on the issue of withdrawal of the affected area from the district.

(4) The hearing required under this section shall be conducted by a hearings officer appointed by the district board.

SECTION 5. (1) After receiving a petition for withdrawal filed under section 3 of this 1987 Act, the district board shall conduct a study of existing service to the affected area described in the petition. The study shall consider:

(a) The extent to which residents of the affected area currently use the mass transit services and facilities of the district;

(b) The amount of district revenues raised within the affected area;

(c) The history of the mass transit services provided to the affected area;

(d) Whether or when direct service will be provided to the affected area;

(e) The number of previous requests from persons within the affected area to be excluded from the district; and

(f) The effect of withdrawal of the affected area on the district.

(2) After completion of the study conducted under subsection (1) of this section and the public hearing required under section 4 of this 1987 Act, but not later than the 120th day after the filing of the withdrawal petition with the district board, the district board shall adopt an ordinance withdrawing the affected area from the district or shall adopt a resolution denying the petition for withdrawal.

(3) Notwithstanding ORS 267.207 (3)(b), the district board shall approve withdrawal if:

(a) The district board finds that the use of the mass transit system of the district by residents of the affected area is less than _____ rides per month for every 1,000 residents;

(b) The district board determines that direct service to the affected area is not planned for at least five years;

(c) The residents and businesses within the affected area have demonstrated that district fees and taxes have adversely affected employment, population or commercial activity within the affected area; and

(d) The district board has not received a petition signed by not less than 15 percent of the electors within the affected area seeking continuation of the district's jurisdiction over the affected area.

(4) Notwithstanding ORS 267.207 (3)(b), the district board may withdraw the affected area from the district when the conditions of subsection (3) of this section are not satisfied if the board considers such withdrawal to be in the best interests of the district and the affected area.

(5) Any decision of the district board relating to withdrawal of an affected area under sections 2 to 7 of this 1987 Act may be reviewed by a circuit court under ORS 34.010 to 34.100.

SECTION 6. An affected area withdrawn from a district under sections 2 to 7 of this 1987 Act shall, from the effective date of the ordinance withdrawing the affected area from the district, be free from assessments and taxes levied thereafter by the district. When the total unlimited taxing power of the district over the area not withdrawn from the district does not entirely satisfy the bonded or other indebtedness incurred prior to the withdrawal, the district may increase the rate of tax authorized under ORS 267.385 (1) to that rate sufficient to assure payment of bonded and other indebtedness of the district.

SECTION 7. Notwithstanding ORS 199.425, the alteration of the boundaries of a district under sections 2 to 7 of this 1987 Act is not subject to the jurisdiction or review of a local government boundary commission.

SECTION 8. ORS 267.208 is amended to read:

267.208. (1) An alteration of the boundaries of a district under ORS 267.207 **or sections 2 to 7 of this 1987 Act** shall not become effective during the period:

(a) Beginning after the 90th day before a primary or general election and ending on the day after the election; or

(b) Beginning after the 34th day before any other election held by the district and ending on the day after the election.

(2) If the effective date established for the alteration of the boundaries is a date that is prohibited under this section, the alteration shall become effective on the day after the election.

(3) For the purposes of ORS 308.225 only, the effective date of an alteration of district boundaries shall be the date on which the board adopts the ordinance altering the boundaries or, if such an ordinance is initiated or referred, the date on which the ordinance is approved by the electors as provided in ORS 267.207.

SIXTY-FOURTH LEGISLATIVE ASSEMBLY

HOUSE COMMITTEE ON
TRANSPORTATION
453-G State Capitol
Salem, Oregon 97310
(503) 378-5964

PROPOSED AMENDMENTS TO HB 2112

On page 1 of the printed bill on line 2 after "366.524," insert "366.790", delete "803.045, 803.090" and lines 5 through 30. Delete pages 2 through 5. On page 6 delete lines 1 through 22 and insert:

SECTION 1. (1) The Legislative Assembly finds that:

(a) estimated highway, road and street revenues from current sources will not adequately meet the needs for the continued development of a statewide road and bridge system that encompasses economic efficiency, provides accessibility to and from commercial, agricultural, tourist and recreational facilities and enhances the highway safety, environmental quality and land use goals of this state.

(b) responsiblity for the cost of the highway, road and street system should based on the number and types of vehicles that use the system and the frequency of their use and the costs apportioned thereon;

(c) expansion, modernization, maintenance, repair, reconstruction, increased capacity and enhanced safety on all roads and bridges is crucial to the economic revitalization of Oregon.

(2) The Legislative Assembly declares that the purpose of this Act is:

(a) to enhance the revenue base for the state, counties and cities for continued development and maintenance of the road and bridge system; and

(b) to enhance the economic revitalization of this state's economy by developing a long-term plan for the state, counties and cities that establishes priorities for road and bridge improvements.

SECTION 2. Section 3 of this Act is added to and made a part of ORS chapter 366.

SECTION 3. The Department of Transportation shall use moneys in the State Highway Fund that become available for its use from the increase in tax rates created by the amendments to ORS 319.020, 319.530, 767.820 and 767.825 by sections __, __, __, __, __, __ and __ of this 1987 Act to establish a corridors of statewide significance program for highways. The program established under this section and the use of the moneys in the program are subject to the following:

(1) The intent of the corridors of statewide significance program is to develop a statewide road and bridge system that encompasses economic efficiency, provides accessibility to and from commercial, agricultural, tourist and recreational facilities and enhances the higwhay safety, environmental quality and land use goals of this state.

(2) The corridors shall encourage the growth and development of transportation, tourist, commercial and agricultural businesses of this state.

(3) The corridors shall be compatible with any regional development strategies developed by local governments and adopted by the Governor.

(4) The Oregon Transportation Commission shall select the corridors that are a part of the program after the following has occurred:

(a) The commission shall prepare a preliminary list of projects and evaluate their effect on implementation of the most current Six-Year Highway Plan, Modernization Program and Maintenance and Preservation Program;

(b) The commission shall hold public hearings throughout the state that allows private citizens and representatives of local government to comment on and review the preliminary list to determine if the proposed corridors are compatible with any regional development strategies that may exist;

(c) The commission shall review the comments received during the public hearing process on the preliminary list of projects and consult with a committee of the Legislative Assembly whose primary responsibility is to address transportation or economic development matters before making a final selection; and

(d) The commission shall select the final corridors and conduct public hearings throughout the state, in conjunction with public hearings on the Six-Year Highway Plan, but shall distinguish between the two programs and allow private citizens

and representatives of local government to review and comment on the final list to determine if the final corridors are compatible with any regional development strategies that may exist;

SECTION 4. Section 5 is added to and made a part of ORS 366.524 to 366.540

SECTION 5 Money paid to counties under ORS 366.524 to 366.540 shall be used only for the purposes stated in sections 3 and 3a, Article IX of the Oregon Constitution and the statutes enacted pursuant thereto including ORS 366.514.

(2) Counties receiving monies under ORS 366.524 to 366.540 shall report during each Legislative Assembly the expenditures of those monies in each of the following areas:

(a) maintenance;
(b) preservation;
(c) construction; and
(d) modernization

SECTION 6. ORS 366.790 is amended to read:

(1) Money paid to cities under ORS 366.785 to 366.820 shall be used only for the purposes stated in sections 3 and 3a, Article IX of the Oregon Constitution and the statutes enacted pursuant thereto including ORS 366.514.

(2) Cities receiving monies under ORS 366.785 to 366.820 shall report during each Legislative Assembly the expenditures of those monies in each of the following areas:

(a) maintenance;
(b) preservation;
(c) construction; and
(d) modernization

SECTION 7. ORS 803.420 is amended to read:

803.420 (1) delete "$20" and insert "$40". No other changes in registration fees.

SECTION 8 On January 1, 1988, ORS 319.020, as amended by section 1, chapter 209, Oregon Laws 1985, is further amended to read:

(gas tax increase from 12 to 14 cents)

SECTION 9. On January 1, 1988, ORS 319.530, as amended by section 2, chapter 209, Oregon Laws 1985, is further amended to read:

(Gas tax increase from 12 to 14 cents)

SECTION 10. On January 1, 1988, ORS 767.820, as amended by section 2b, chapter 209, Oregon Laws 1985, is further amended to read:

(Change in Table "A" to reflect new assumptions of miles per gallon in 1986 Cost Responsibility Study and the first gas tax increase of 2 cents. Table "B" has no change based on the current Cost Responsibility Study. There are some adjustments in "C" and "D").

SECTION 11. On January 1, 1988, ORS 767.825, as amended by section 11, chapter 209, Oregon Laws 1985, is further amended to read:

(Flat fees reflects a reduction for gas vehicles to accommodate for gas tax increase of 2 cents and no change for diesel vehicles).

SECTION 12. On January 1, 1989, ORS 319.020, as amended by section 2, chapter 209, Oregon Laws 1985, and section 8 of this Act, is further amended to read:

(gas tax increase from 14 to 16 cents)

SECTION 13. On January 1, 1989, ORS 319.530, as amended by section 2, chapter 209, Oregon Laws 1985, and section 9 of this Act, is further amended to read:

(Gas tax increase from 14 to 16 cents)

SECTION 14. On January 1, 1989, ORS 767.820, as amended by section 2b, chapter 209, Oregon Laws 1985, and section 10 of this Act, is further amended to read:

(Change in all tables to reflect new Cost Responsibility Study. All tables based on new assumptions for miles travelled and miles per gallon, as well as split between basic vehicles and trucks).

SECTION 15. On January 1, 1989, ORS 767.825, as amended by section 11, chapter 209, Oregon Laws 1985, and section 11 of this Act, is further amended to read:

(Flat fees reflects assumptions of the 1986 Flat Fee Study).

SECTION 16. On January 1, 1990, ORS 319.020, as amended by section 2, chapter 209, Oregon Laws 1985, and sections 8 and 12 of this Act, is further amended to read:

(gas tax increase from 16 to 18 cents)

SECTION 17. On January 1, 1990, ORS 319.530, as amended by section 2, chapter 209, Oregon Laws 1985, and sections 9 and 13 of this Act, is further amended to read:

(Gas tax increase from 16 to 18 cents)

SECTION 18. On January 1, 1990, ORS 767.820, as amended by section 2b, chapter 209, Oregon Laws 1985, and sections 10 and 14 of this Act, is further amended to read:

(Change in all tables to reflect new Cost Responsibility Study. All tables based on new assumptions for miles travelled and miles per gallon, as well as split between basic vehicles and trucks).

SECTION 19. On January 1, 1990, ORS 767.825, as amended by section 11, chapter 209, Oregon Laws 1985, and sections 11 and 15 of this Act, is further amended to read:

(Flat fees reflects assumptions of the 1986 Flat Fee Study).

SECTION 20. ORS 366.524 is amended to read:

(50/30/20 split on the first 2 cent, 68/20/12 on the next 4 cent and the registration fees).

Andy Cargo
2nd

RECEIVED APR 6 1987

*PROPOSED CORRIDORS FOR MAJOR EMPHASIS

"A Program Concept"

SUMMARY

Corridor Name	Miles	SIX-YEAR PROGRAM Length Miles	SIX-YEAR PROGRAM Cost Millions	UNFUNDED NEEDS Length Miles	UNFUNDED NEEDS Cost Millions	PROPOSAL Cost Millions
Portland-California						
Highway 26-Highway 97	317	48.0	$ 27.0	103	$137	
Coos Bay-Interstate 5						
Highway 42	77	4.9	$ 12.2	18	$ 55	
Highway 38		1.2	$ .7	14	$ 53	
Astoria-California						
Highway 101	347	35.0	$ 81.8	151	$287	
Sunrise						
Highway 212-Highway 224	14	--	--	14	$185	
Lower Columbia River						
Highway 30	99	3.5	$ 9.7	22	$ 43	
TOTALS	854	92.6	$131.4	322	$760	$500

*See Proposed Corridor Selection Process

3/31/87 Copies to:
- --Director (15)
- --ASHE's
- --Potter
- --Royer

kkr

PROPOSED CORRIDOR SELECTION PROCESS

Identify Corridors - ODOT and the OTC will draft a preliminary list of corridors to be considered at public hearings throughout the state next fall.	March-April
Identify Criteria - ODOT will work with Legislature to establish criteria for final selection of corridors	April
Passage of Bill	June
Analysis of Corridors - ODOT will evaluate the preliminary list of corridors in terms of the criteria established by the Legislature	July-Aug.
Public Hearings - ODOT will hold several hearings throughout the state to take public testimony on the selection of the corridors	Sept.-Oct.
Corridor Selection - OTC announces final selection of corridors	Nov.
Project Selection - Public hearings and selection of specific projects on the corridors will be held in conjunction with the public hearings and project selection process of the Six-Year Plan. Corridor projects will be identified separately.	Spring

ROAD FINANCE ( )AGE - MILLIONS OF DOLLARS (2+2+2 W/REGISTRATION FEE INCREASE E)TIVE JAN. 1988)

	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	TOTAL NOMINAL $	TOTAL REAL $ INFLATION @ 4%
CURRENT LAW												
CITY	$39.1	$39.6	$39.3	$39.5	$40.3	$40.9	$41.6	$42.2	$42.7	$42.9	$408.1	$333.1
COUNTY	$63.1	$63.9	$63.4	$63.8	$65.1	$66.0	$67.1	$68.1	$69.0	$69.3	$658.8	$537.7
STATE	$190.3	$192.8	$191.3	$192.5	$196.3	$199.3	$202.5	$205.6	$208.1	$209.0	$1,987.7	$1,622.3
TOTAL	$292.5	$296.3	$294.0	$295.8	$301.7	$306.2	$311.2	$315.9	$319.8	$321.2	$3,054.6	$2,493.1
NEW REVENUE												
MOTOR FUEL TAX	$9.9	$35.6	$61.4	$77.0	$77.3	$77.5	$77.8	$78.2	$78.3	$78.0	$651.1	$513.9
WEIGHT-MILE TAX	$0.0	$6.4	$22.3	$32.9	$34.2	$35.1	$36.3	$37.2	$38.1	$38.7	$281.2	$217.5
REGISTRATION FEES	$13.9	$26.3	$25.5	$26.4	$28.6	$29.1	$29.6	$30.1	$30.5	$31.0	$271.0	$217.9
TOTAL	$23.8	$68.3	$109.2	$136.3	$140.1	$141.7	$143.7	$145.5	$147.0	$147.7	$1,203.3	$949.2
%												
20 DISTRIBUTION 1												
CITY	$4.8	$13.7	$21.8	$27.3	$28.0	$28.3	$28.7	$29.1	$29.4	$29.5	$240.7	$189.9
30 COUNTY	$7.1	$20.5	$32.8	$40.9	$42.0	$42.5	$43.1	$43.7	$44.1	$44.3	$361.0	$284.8
50 STATE	$11.9	$34.1	$54.6	$68.1	$70.0	$70.9	$71.9	$72.8	$73.5	$73.9	$601.5	$474.5
TOTAL	$23.8	$68.3	$109.2	$136.3	$140.1	$141.7	$143.7	$145.5	$147.0	$147.7	$1,203.3	$949.2
% %												
20 12 DISTRIBUTION 2												
CITY	$3.7	$10.6	$16.0	$19.5	$20.0	$20.2	$20.5	$20.7	$20.9	$21.0	$173.1	$136.8
30 20 COUNTY	$5.8	$16.6	$25.4	$31.0	$31.8	$32.2	$32.6	$33.0	$33.3	$33.5	$275.3	$217.5
50 68 STATE	$14.4	$41.2	$67.8	$85.8	$88.3	$89.4	$90.6	$91.8	$92.7	$93.2	$755.1	$595.1
2¢ 4¢ TOTAL	$23.8	$68.3	$109.2	$136.3	$140.1	$141.7	$143.7	$145.5	$147.0	$147.7	$1,203.3	$949.4

+ 10¢

MOTOR FUEL AND WEIGHT-MILE TAX INCREASES EFFECTIVE JANUARY 1988, 1989 & 1990

DETAIL MAY NOT ADD TO TOTAL DUE TO INDEPENDENT ROUNDING

CORRIDOR: US 26-Highway 97

TERMINI: Portland to California State Line

LENGTH: 317.4 miles

Operational Goals for Corridor: The goal is to reconstruct capacity deficient sections and improve the alignment for 55 mph travel with stable traffic flow. This recognizes that the route functions as a major interstate route with heavy truck traffic and has a significant commercial and recreational aspect to its operation. Additional lanes will be added to provide passing opportunities and improve capacity where necessary for trucks and recreational vehicles. All reconstruction would provide modern shoulder widths to accommodate disabled vehicles, bicycles, and pedestrians.

Improvements in Corridor for Operational Goals:

Improvements Funded in Six-Year Program		Unfunded Improvements		
Miles	Cost (000's)	Roadway Type	Miles	Cost (000's)
6.10	$ 6,800	Five Lane	0.15	$ 230
11.2	12,300	Four Lane	18.85	$ 30,020
2.5	1,000	Three Lane (Passing Lane)	1.50	$ 9,600
28.4	6,800	Realignment/Widen to Modern Width	82.90	$ 97,465
x	x	City Bypass	0.00	$ 0
Total 48.2	26,900		103.40	$137,315

Notes:

Includes - The Dalles/California Highway
- Mt. Hood Highway
- Warm Springs Highway

GAP:WHW:pf:3-30-87

CORRIDOR: Coos Bay-Interstate 5

TERMINI: Coos Bay to Interstate 5

LENGTH: 77.17 miles

Operational Goals for Corridor: I-5 to Coos Bay Corridor has two primary service corridors, Highway 42 (Coos Bay to Roseburg) and Highway 38 (Umpqua Highway). The routes must be improved to handle heavy truck traffic, some tourist traffic, and provide stable traffic flow with 55 mph wherever practicable. The various projects would provide passing opportunities, modern lane and shoulder widths, and wherever possible an alignment to provide 55 mph travel.[1]

Improvements in Corridor for Operational Goals:

Improvements Funded in Six-Year Program					Unfunded Improvements			
Coos Bay-Roseburg Hwy. / Umpqua Hwy.					Coos Bay-Roseburg Hwy. / Umpqua Hwy			
Miles	Cost (000's)	Miles	Cost (000's)	Roadway Type	Miles	Cost (000's)	Miles	Cost (000's)
	$			Five Lane	0.00	$ 0	1.28	$ 2,1
				Four Lane	3.01	$ 9,090	0.00	$
		0.8	$498	Three Lane (Passing Lane)	0.00	$ 0	0.65	$ 3
4.9	$12,180	0.4	$200	Realignment/ Widen to Modern Width	12.21	$34,754	11.90	$50,6
				City Bypass	2.50	$11,270	0.00	$
Total 4.9	$12,180	1.2	$698		17.72	$55,114	13.83	$53,1

Notes:

1 / Another proposed route, not included in the figures, is the Coos Bay-Roseburg/Wagon Road at a cost for a 4-lane facility of $380 million, but $300 million probably represents a reasonable cost for a 2-lane facility with passing lanes.

CORRIDOR: US 101

TERMINI: Border to Border

LENGTH: 347.2 miles

Operational Goals for Corridor: The major operational goals for the corridor are to provide additional passing opportunities and capacity improvements, to handle the very high traffic levels of tourists and recreational vehicles on the coast highway. All improvements must provide timely and safe opportunities for bicycles and pedestrians. Wherever improvements are contemplated on the Oregon Coast Highway, the scenic and recreational qualities of the Oregon Coast must be carefully considered. 1/

Improvements in Corridor for Operational Goals:

Improvements Funded in Six-Year Program			Unfunded Improvements		
	Miles	Cost (000's)	Roadway Type	Miles	Cost (000's)
	2.8	$ 5,300	Five Lane	6.16	$ 10,650
	0.7	$44,000	Four Lane	35.79	$ 62,836
	4.2	$ 2,300	Three Lane (Passing Lane)	0.00	$ 0
	27.3	$30,200	Realignment/Widen to Modern Width	109.07	$213,617
			City Bypass	0.00	$ 0
Total	35.0	$81,800		151.02	$287,105

Notes:

1 / Major city bypasses (such as Lincoln City) are not included because of the significant economic, social, and environmental factors associated with such a major route relocation. Preservation and/or replacement of major coastal bridges are not included.

GAP:WHW:pf:3-30-87

CORRIDOR: Sunrise

TERMINI: McLoughlin to Heidi's

LENGTH: 13.5 miles

Operational Goals for Corridor: The goal of this corridor is to provide an arterial facility, to provide relief for traffic congestion in the southeast Portland, East Multnomah County area. Reconstruction would provide a freeway type facility with interchanges between Milwaukie and Interstate 205. From I-205 to the Mt. Hood Highway, construction would provide an expressway with at-grade crossroad intersections. Throughout the corridor, reconstruction would provide capacity and alignment adequate for 55 mph traffic with stable flow.

Improvements in Corridor for Operational Goals:

Improvements Funded in Six-Year Program		Unfunded Improvements		
Miles	Cost (000's)	Roadway Type	Miles	Cost (000's)
	$	Five Lane	9.7	$ 95,000
		Four Lane	3.8	$ 90,000
		Three Lane (Passing Lane)	0.0	$ 0
		Realignment/Widen to Modern Width	0.0	$ 0
		City Bypass	0.0	$ 0
Total			13.5	$185,000

Notes:

GAP:WHW:pf:3-30-87

CORRIDOR: Lower Columbia River

TERMINI: Astoria to Portland

LENGTH: 99.34 miles

Operational Goals for Corridor: The goal for this corridor is to reconstruct capacity deficient sections, provide an alignment that would be adequate for 55 mph traffic with stable flow, and provide a 7.7 mile bypass of the City of Astoria, with improved access to the Port of Astoria. Throughout the corridor, additional lanes would be provided for passing opportunities, increased capacity, and reconstruction to modern lane and shoulder widths.

Improvements in Corridor for Operational Goals:

Improvements Funded in Six-Year Program		Unfunded Improvements		
Miles	Cost	Roadway Type	Miles	Cost
2.7	$ 6,210	Five Lane	2.40	$6,960
0.8	3,462	Four Lane	2.70	$0
		Three Lane (Passing Lane)	0.00	$0
		Realignment		
		Widen to Modern Width	11.62	$22,609
		City Bypass	5.50	$13,000
Total 3.5	$ 9,672		22.22	$42,569

Notes:

GAP:pf:3-25-87

House Bill 2783

Sponsored by COMMITTEE ON HOUSING AND URBAN DEVELOPMENT (at the request of Oregon State Home Builders Association)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure as introduced.

Defines "new construction" for purposes of determining increase in tax base due to new construction. Prohibits imposition of certain system development charges after operative date of the Act. Becomes operative on effective date of constitutional amendment allowing growth in tax base if there is new construction in tax unit (House Joint Resolution 18).

A BILL FOR AN ACT

Relating to finance.

Be It Enacted by the People of the State of Oregon:

SECTION 1. For purposes of section 11, Article XI, Oregon Constitution, and as used in this Act, unless the context otherwise requires:

(1) "New construction" or "newly constructed real property" means real property that causes an increase in the true cash value of a taxing unit for the fiscal year and is:

(a) A building or structure newly created or made or in the process of making or creating; or

(b) The portion of an existing building or structure newly added or in the process of being newly added if, as a result of the addition, the exterior perimeters of the existing building are enlarged or a new story or stories are added. However, a new building or structure or an addition to an existing building or structure shall not be considered "new construction" or "newly constructed real property" unless a permit for the construction is issued under the structural code, as defined in ORS 456.750, and the construction causes a physical reappraisal of the property for the fiscal year for ad valorem property tax purposes.

(2) "Urban renewal area" means an urban renewal area for which a certificate has been filed under ORS 457.430 and for which the plan for the urban renewal area contains a provision that the ad valorem taxes be divided in accordance with ORS 457.440.

SECTION 2. For purposes of determining the increase in the tax base of a taxing unit under paragraph (d) of subsection (4) of section 11, Article XI, Oregon Constitution, the value of commercial facilities under construction granted cancellation of assessment under ORS 307.330 and 307.340 and the value of multiple-unit housing exempt from ad valorem taxation under ORS 307.600 to 307.690 shall be included in determining the amount of increase in true cash value for the taxing unit caused by new construction or newly constructed real property for the fiscal year in which the cancellation or exemption is first terminated.

SECTION 3. (1) An increase in true cash value as a result of new construction in an urban renewal area shall not be taken into consideration in determining an increase in the tax base for a taxing unit in which the urban renewal area is located under paragraph (d) of subsection (4) of section 11, Article XI, Oregon Constitution, unless, for the fiscal year, the total true cash value of the taxable property in the urban renewal area exceeds the total true cash value specified in the

certificate or amended certificate filed under ORS 457.430. However, if the total true cash value of the taxable property in the urban renewal area exceeds the total true cash value specified in the certificate or amended certificate, the increase in true cash value over the amount specified in the certificate or amended certificate in the urban renewal area caused by new construction shall be taken into consideration in computing the increase in the tax base of the taxing unit under paragraph (d) of subsection (4) of section 11, Article XI, Oregon Constitution, subject to and in the manner provided in subsection (2) and paragraphs (b) and (c) of subsection (3) of this section.

(2) For each fiscal year, the county assessor shall compute the amount of increase in true cash value of all taxable real property in each taxing unit that is caused by new construction both inclusive and exclusive of the value of the new construction that takes place in an urban renewal area over the amount specified in the certificate or amended certificate.

(3) The computations made under subsection (2) of this section shall be used to determine the increase in tax base of a taxing unit on account of new construction under paragraph (d) of subsection (4) of section 11, Article XI, Oregon Constitution, for the fiscal years described as follows:

(a) For any fiscal year in which the levy of the taxing unit is divided under ORS 457.440, or for any fiscal year immediately following a fiscal year in which the levy of the taxing unit is divided under ORS 457.440, the amount computed by the assessor under subsection (2) of this section that is exclusive of the new construction in the urban renewal area shall be used to determine the increase in tax base under paragraph (c) of subsection (4) of section 11, Article XI, Oregon Constitution.

(b) The increase in true cash value of a taxing unit in which an urban renewal area is located caused by new construction in the urban renewal area over the amount specified in the certificate or amended certificate shall first be reflected in the tax base of the taxing unit for the fiscal year following the fiscal year in which the full value in the taxing unit is placed upon the assessment and tax roll under ORS 457.450 (2). The increase in tax base caused by the new construction in the urban renewal area shall be reflected by making the following calculations, which shall be used solely to determine the tax base for the taxing unit for the fiscal year described in this paragraph:

(A) For each consecutive fiscal year beginning on and after July 1, 1989, or on and after July 1 of the second fiscal year following the fiscal year in which new construction in an urban renewal area first exceeds the amount specified in the certificate or amended certificate, whichever is the later, recalculate the tax base of the taxing unit in the manner described in paragraph (d) of subsection (4) of section 11, Article XI, Oregon Constitution, using the prior year's tax base or recalculated tax base, whichever is applicable, and the amount computed by the assessor under subsection (2) of this section that is inclusive of new construction in the urban renewal area over the amount specified in the certificate or amended certificate.

(B) Using the amount that is finally arrived at under subparagraph (A) of this paragraph as the recalculated tax base for the fiscal year preceding the fiscal year to which this section applies as the previous year's tax base, and the amount computed by the assessor under subsection (2) of this section that is inclusive of new construction in the urban renewal area over the amount specified in the certificate or amended certificate, determine the tax base for the taxing unit under section 11, Article XI, Oregon Constitution for the fiscal year described in this paragraph.

(c) For each fiscal year after the fiscal year described in paragraph (b) of this subsection, the increase in tax base of the taxing unit shall be determined under paragraph (d) of subsection (4) of section 11, Article XI, Oregon Constitution, using the new construction amount computed by the

assessor under subsection (2) of this section that includes the new construction in the urban renewal area over the amount specified in the certificate or amended certificate.

SECTION 4. For purposes of determining the increase in tax base of a taxing unit under paragraph (d) of subsection (4) of section 11, Article XI, Oregon Constitution, if the new construction takes place on the same building site as a building or structure destroyed or damaged by any cause, the value shall be included only to the extent that the value of the newly constructed real property exceeds the value of the existing building or structure immediately prior to its damage or destruction.

SECTION 5. (1) Notwithstanding any law or rule to the contrary, on or after the operative date of this Act, a city, county or other municipal corporation or political subdivision of this state shall not impose, under ordinance or otherwise, a system development charge.

(2) As used in this section:

(a) "Capital improvement" means any of the following public facilities or assets: Water treatment and distribution facilities, waste water treatment facilities, sanitary sewers, storm water and flood control facilities, and road systems. "Capital improvement" includes expansion of existing capital improvements in order to add capacity to serve new residential development. "Capital improvement" shall be further defined by the Real Estate Commissioner by rule.

(b) "Developer" means a developer as defined in ORS 92.305.

(c) "System development charge" means any charge, fee or assessment levied against a developer of land intended for residential use or builder of homes or multifamily dwellings, where any portion of the revenues collected are intended to fund any portion of the cost of capital improvements necessary to meet the needs caused by new residential development.

(3) This section shall not apply to any systems development charge that has been billed prior to the operative date of this Act.

SECTION 6. This Act shall not become operative until the effective date of the constitutional amendment proposed by House Joint Resolution 18 (1987 regular session). However, the Department of Revenue and the county assessors shall take any action before the effective date of House Joint Resolution 18 that is necessary to secure its implementation, including but not limited to the determination of new construction value amounts for 1987 and 1988.

House Bill 2785

Sponsored by COMMITTEE ON HOUSING AND URBAN DEVELOPMENT (at the request of Oregon State Home Builders Association)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced.**

Restricts local government use of systems development charges. Sets forth related provisions.

A BILL FOR AN ACT

Relating to systems development charges.

Be It Enacted by the People of the State of Oregon:

SECTION 1. Sections 2 to 5 of this Act are added to and made a part of ORS chapter 294.

SECTION 2. As used in sections 2 to 5 of this 1987 Act:

(1) "Capital improvement" means any of the following public facilities or assets: Water treatment and distribution facilities, waste water treatment facilities, sanitary sewers, storm water and flood control facilities, and road systems. "Capital improvement" includes expansion of existing capital improvements in order to add capacity to serve new residential development.

(2) "Development exactions" includes system development charges, fees, land dedications and construction, extension or enlargement of public facilities levied against or required of developers of land intended for residential use or builders of homes or multifamily dwellings, where any portion of the revenues collected, land dedicated or improvements made are intended to offset public facility needs caused by the residential development. Any form of hookup or connection charges for public water, sewer or storm drainage systems which are greater than the cost of inspection and connection is a development exaction, except when: The revenue collected in excess of inspection and connection costs is used to pay existing debt, the debt was incurred in order to increase the capacity of the system and adequate capacity exists to accommodate the new development being assessed the charge.

(3) "Road systems" include roads and accompanying necessary curbs, drainage systems, lights, signal lights and directional signs.

(4) "System development charge" means any charge, fee or tax levied against a developer of land intended for residential use or builder of homes or multifamily dwellings, where any portion of the revenues collected are intended to fund any portion of the cost of capital improvements necessary to meet the needs caused by new residential development.

SECTION 3. (1) A systems development charge shall represent an equitable share of the reasonably anticipated cost of expanding public facilities reasonably required for residential growth.

(2) To determine the equitable share of the anticipated costs to be assessed by a systems development charge, a local government shall consider:

(a) That existing users of the system shall derive some benefit from improvements resulting from the new development.

(b) That new users shall share with old users any ongoing costs or outstanding debt associated

NOTE: Matter in **bold face** in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.

with the operation, maintenance and construction of the system.

(3) A local government shall not impose a systems development charge or increase an existing charge until its public facility plan required by ORS 197.712 has been acknowledged pursuant to ORS 197.251.

SECTION 4. (1) All development exaction funds shall be deposited in an account designated solely for those funds.

(2) The budget committee shall review, annually, a report that sets out the manner in which funds were expended and the projects that were funded.

(3) A local government shall not require payment of the funds described in subsection (1) of this section until the structures served by the systems are occupied.

SECTION 5. (1) Systems development charge expenditures or development exaction uses are limited to those improvements necessary to expand existing public facilities or, because of residential growth, develop new public facilities. The projects on which funds are expended shall provide a direct benefit to the development that is assessed a systems development charge.

(2) The expansion or development of facilities described in subsection (1) of this section does not include the expenditure of funds to operate, maintain or repair existing facilities.

METRO

2000 S.W. First Avenue
Portland, OR 97201-5398
503/221-1646

March 30, 1987

7175C/D3 - merge list
7174C/D3 - letter
Dear :

Thank you for your letter of February 18, 1987, regarding your interest in moving the I-205 corridor light rail project toward implementation. We too are interested in improving transit in the I-205 corridor as well as in a number of other regional travel corridors. However, we suggest that HB 2270 as currently drafted is not the best mechanism for accomplishing this objective. Rather, an approach that provides funding for planning, engineering, right-of-way acquisition and construction of LRT corridors in general would be more appropriate and, depending upon the level of funding, allows all of the highest priorities to proceed.

In discussing this matter with Metro's Joint Policy Advisory Committee on Transportation, comprised of elected officials from throughout the region, the priority for seeking transit funding is as follows:

1. First priority is to secure funding for capital and operating purposes for the existing system. Any proposals to fund LRT at the expense of this purpose cannot be supported.

2. The second priority is to secure matching funds to allow the next step to proceed on a package of three regional corridors:

    a. Sunset LRT -- currently identified as the next LRT priority by the region; proceed with preliminary engineering and Final EIS through UMTA with available and programmed UMTA Section 9 and Interstate Transfer funds.

b. McLoughlin LRT -- identified as required improvement in conjunction with highway expansion; consider proceeding with Alternative Analysis/Draft EIS through UMTA with Interstate Transfer funds set aside in the McLoughlin Corridor Program.

c. I-205 LRT -- identified as providing support for economic development and an intertie with the Banfield LRT; consider proceeding with preliminary engineering and a Final EIS through FHWA with available Interstate "buslane transfer" funds.

3. The third priority is to secure funding to allow reconnaissance engineering to be conducted for the remaining corridors and branches to clearly specify alignments to be included in local comprehensive plans for future consideration.

We appreciate your interest in the I-205 LRT facility and, with your assistance, can continue to pursue transit improvements for this and other priorities. However, we request that legislation be consistent with these priorities and not fund items that are at the expense of other higher priority purposes.

Sincerely,

Richard Waker, Chair
Joint Policy Advisory Committee on Transportation

Rena Cusma
Executive Officer

gl
7174C/D3

The Honorable Judith Bauman
State Representative
State Capitol, H474
Salem, OR 97310
Representative Bauman_

The Honorable Bill Kennemer
State Senator
State Capitol, S314
Salem, OR 97310
Senator Kennemer_

The Honorable Ron Cease
State Representative
State Capitol, H279
Salem, OR 97310
Representative Cease_

The Honorable Joyce Cohen
State Senator
State Capitol, S216
Salem, OR 97310
Senator Cohen_

The Honorable Jane Cease
State Senator
State Capitol, S215 ~~S215~~ stet
Salem, OR 97310
Senator Cease_

The Honorable Darlene Hooley
State Representative
State Capitol, H491
Salem, OR 97310
Representative Hooley_

The Honorable Larry Sowa
State Representative
State Capitol, H472
Salem, OR 97310
Representative Sowa_

The Honorable Rod Monroe
State Senator
State Capitol, S205
Salem, OR 97310
Senator Monroe_

The Honorable Gene Sayler
State Representative
State Capitol, H367
Salem, OR 97310
Representative Sayler_

The Honorable Ron McCarty
State Representative
State Capitol, H287
Salem, OR 97310
Representative McCarty_

The Honorable Frank Roberts
State Senator
State Capitol, S206
Salem, OR 97310
Senator Roberts_

The Honorable Dave McTeague
State Representative
State Capitol, H492
Salem, OR 97310
Representative McTeague_

7175C/D3 - merge list
7174C/D3 - letter

P.O. Box 167
Sherwood, Oregon 97140
625-5522 625-5523

Please copy
- Bruce Warner
- Dick Waker, Pres., Metro Council
- Andy Cotugno, Metro Staff

March 13, 1987

Tom Brian, Mayor
City of Tigard
P.O. Box 23397
Tigard, OR 97223

Dear Tom:

Although I recognize that it was but an individual suggestion of a "retiring" JPACT member, I am very concerned with the statements made by Larry Deyo of Gresham, regarding JPACT membership. I feel it is important to present my reaction relative to Mr. Deyo's thoughts to you, as the City's JPACT representative, now, rather than deal with an accomplished fact later.

As a small city official, I was somewhat taken aback by Mr. Deyo's suggestion that smaller communities did not have the need, expertise, responsibility, or somehow the right to have official input into JPACT decisions. Perhaps the relationship of the "Wood Villages" of Multnomah County to their big brothers is different than the way the "Sherwoods" in our county relate to our "Beavertons" and "Tigards" (but I bet Wood Village et.al. would take strong exception to the way they were characterized).

To use the Western Bypass as an example, this facility will have enormous impacts on Sherwood, in many respects more so than on any other community in the Southwest Corridor. To listen to a suggestion that in effect we (and other small communities) should be disenfranchised from the JPACT portion of this and other planning processes because <u>today</u> we only have 2880 citizens, and our staffing, street operations and capital needs amount to a fraction of those in larger communities, is truly disturbing.

To now begin to consider the further segregation of jurisidictions beyond the level of the broad membership categories presently established would be a sad mistake. Sherwood is certainly satisfied with the "single seat for all cities in a county" arrangement. We have had our turn at the helm under similar arrangements on other regional committees in the past, and presumably in the future, a Sherwood official may sit on JPACT.

I urge you to strongly oppose such changes in JPACT structure if and when they are returned to the full committee.

Sincerely,

James Rapp
City Manager

cc: Bonnie Hays, County Chairperson
Mayor and Council

COMMITTEE MEETING TITLE JPACT

DATE 4-9-87

	NAME	AFFILIATION
M-	Bonnie Hays	Washington County
M-	Vernon V. Veysey	Clark County Com.
M-	Ed Ferguson	Washington State DOT.
M-	Georyd Don Bergyan	Metro.
M-	LLOYD ANDERSON	MAYOR OF BEAVERTON
M-	FRED HANSEN	DEQ
S-	Cathy Thomas	Metro
G-	Pebe Rucker	Port of Portland
G-	Ted Spence	ODOT
S-	John Cotton	Metro
S-	Richard B.	Metro
G-	Susie Lahsene	Multco.
G-	Lee La Fontaine	Public Transit Div.
G-	Peter Fry	CEIC
G-	Geraldine L. Bell	I-5 Corr. Trans. Com.
G-	Steve Dotterrer	City of Portland staff
G-	Frank Angelo	Wash. Co.
G- MA	Rick Kuehn	ODOT
S-	Karen Thackston	Metro
G-	Dick C. Feeney	Tri-Met
M-	Earl Blumenauer	Portland
M-	Jane Allen	Tri-Met
S-	Andy Cotugno	Metro

COMMITTEE MEETING TITLE J. PACT

DATE 4-9-87

	NAME	AFFILIATION
M-	RICHARD WAKER	METRO
EO	Wendy Cuppan	"
MA-	Gretchen Kafoury	Mult. Co.
M-	[illegible]	CLACKAMAS CO.
M-	Marjorie K. Schmunk	Cities of Mult. Co.
MA-	ELTON EDWARDS	CITIES OF CLACKAMAS CO.
M-	BOB BOTHMAN	ODOT
S-	Leigh Zimmerman	Metro
G-	Cynthia Weston	Tri-Met
G-	Bruce Warner	Washington County
G-	Bob Post	Tri-Met
G-	Gary Spanovich	Clackamas County
G-	Kay Polani	Citizens for Better Transit
S-	Bill Pettis	Metro
G-	Ed Lindquist	Clackamas County